



GUIDELINES FOR COOPERATION BETWEEN BELAC AND ACCREDITED BODIES

The only valid versions of the documents of the BELAC management system are those available from the internet website.

English translation for information only.
Versions in French and Dutch remain the authoritative documents.

Date of implementation: 15.05.2018

HISTORY OF THE DOCUMENT

Revision and date of approval	Motivation of the revision	Scope of the revision
0 CC 05.06.2003	Replaces doc. BELTEST L07 and enlarges the scope of application to all types of accredited bodies.	Full document but without significant modification of the content
1 Secr. 31.01.2004	Update of the format and lay-out	Full document
2 CC 18.05.2006	Revision following the implementation of the BELAC R.D: Update of the presentation Suspension on decision of BELAC	Full revision Point 9
3 CC 27.01.2011	Duration of the accreditation cycle Provisions for the update of the technical appendices Simplification of the provisions for communication with third parties Notification of changes Specific provisions with respect to confidentiality	Point 3 Point 4 §3 Point 4 §7 Point 6 alinea 4 and 5 Point 10
4 CC 16.03.2012	Addition of point 12: Specific provisions for accreditation of activities in regulated sectors	Point 12
5 CC 19.04.2018	Consequences for accredited bodies in case of fraudulent behaviour, provision of false information or concealing of information. Update of the conditions applicable to accredited bodies Confidentiality of information provided by third parties about accredited bodies. Commitment of BELAC not to take any discriminatory action following complaints and appeals	Points 3 and 9 Point 6 Point 10 Point 11

GUIDELINES FOR COOPERATION BETWEEN BELAC AND ACCREDITED BODIES

1. AIM OF DOCUMENT AND REFERENCES TO STANDARDS

This document aims to summarise the provisions with regard to the cooperation between BELAC and its accredited bodies in compliance with the general policies regarding the working of BELAC.

The following provisions make reference to and comply with the relevant sections of standards EN ISO/IEC 17011 and the legal stipulations with regard to accreditation.

2. RECIPIENTS

With follow-up of modifications:

- Coordination Commission
- Accreditation Board
- Secretariat
- Assessors

Without follow-up of modifications:

- Any external request

3. CONDITIONS FOR GRANTING ACCREDITATION

Following an evaluation procedure and provided that the Accreditation Board has made a positive proposal, accreditation will be granted to all bodies which demonstrate that they comply with the accreditation requirements and, if appropriate, the additional accreditation requirements and guidelines developed by BELAC.

Initial accreditation will be granted for a maximum period of 3 years. Starting from the second accreditation cycle, the maximum duration is normally extended to 5 years . A shorter term can be fixed following a duly motivated justification in the accreditation decision.

It will only cover those activities specified in the accreditation decision and will be subject to a surveillance program.

At any point in an accreditation process, if there is evidence of fraudulent behavior of the conformity assessment body, if the body intentionally provides false information or conceals information, BELAC terminates the process; no accreditation will be delivered and already existing accreditations will be withdrawn.

BELAC will notify accredited bodies of:

- any modifications to the accreditation requirements and of the period allowed for the body to comply with;
- any modifications to elements of the accreditation procedures which directly affect them, of the period of implementation and of any temporary measures.

4. REFERENCES TO ACCREDITED BODY STATUS

BELAC will provide the accredited body with a certificate including:

- the name and address of the accredited body and, where appropriate, a restriction to a particular production site and/or type of activity;
- a statement that the body meets the accreditation requirements as stated in the relevant standard;
- the period of validity of the certificate.

Will be sent to the accredited body:

- an original certificate written in the language relevant to the case, constituting the definitive linguistic version;
- originals of translations of the certificate, written in each of the other two national languages and in English, and which refer to the official linguistic version.

A technical appendix that documents the details of accredited activities accompanies the certificate; it forms an integral part of the certificate. The content of the appendix is subject to verification during each assessment in order to decide whether an update is necessary. The appendix is systematically updated following an extension, suspension or partial withdrawal.

The technical appendix is only issued in the language relevant to the case. Any body wishing to make use of another linguistic version may submit a draft translation to BELAC for approval.

The accredited bodies are authorised to make reference to the accreditation status and to use the accreditation symbol provided that the rules documented in BELAC 2-001 are complied with.

BELAC will regularly publish a directory of accredited bodies showing under each entry:

- the number of the certificate and the validity term;
- the name and address of the organisation and the name of a contact person;
- a short description, in the form of key words, of the scope of the accreditation.

This list, and copies of the detailed scope of accreditation, are made available via the BELAC website or upon request to the BELAC secretariat.

5. INFORMING ACCREDITED BODIES

BELAC will ensure that accredited bodies are kept informed of any BELAC document they have direct interest in;

BELAC will invite accredited bodies to take part in the work of those sector committees that are of direct relevance to their sector of activities. The Accreditation Board may decide to limit the number of representatives to five.

6. MAINTAINING ACCREDITATION

Accredited bodies shall, in order to maintain their accreditation:

- be able to demonstrate that the accreditation requirements are met at all times;
- claim accreditation only with respect to the scope for which it has been granted;
- not to use its accreditation in such a manner as to bring the accreditation body into disrepute;
- commit to follow the BELAC's rules when using the BELAC symbol;
- respect the surveillance schedule specified in the accreditation decision;
- authorise any complementary or unannounced visits requested by BELAC in case of a complaint concerning the body.
- afford the accreditation body and its representatives the necessary cooperation in order to facilitate the performance of the accreditation process and to check whether the body complies to the accreditation requirements. Such co-operation must include:
 - a timely transmission to the BELAC secretariat of all required information and answer to specific questions;

- having legally enforceable arrangements with their clients that commit the clients to provide, on BELAC request, access at the client's site to assess the conformity assessment body's performance when carrying out activities at the client's site;
 - granting the BELAC representatives access to the relevant premises and documents in order to perform the evaluation;
 - carrying out, as far as possible, specific activities upon request of the accreditation body;
 - participation in any appropriate programme of proficiency testing or comparison that the accreditation body might reasonably deem to be necessary;
 - allowing the accreditation body to review results of internal audits and of participation in proficiency testing exercises.
- communicate without delay in writing to BELAC any significant changes relevant to their accreditation. This measure is aimed primarily at modifications relating to:
 - the legal status of the body or ownership;
 - the production site, main office sites where activities are performed;
 - those persons acting in a managerial capacity;
 - the scope of accreditation;
 - significant modifications of working methods, software and equipments;
 - other matters that can affect the performance of the activities covered by the accreditation.
 - to provide to the BELAC secretariat all documents referred to in the application form, at least one month prior to the date scheduled for each evaluation visit;
 - pay all fees due to BELAC;
 - send a request for renewal of the accreditation at least nine months prior to the expiry of the accreditation;
 - assist BELAC and collaborate with its representatives in examining any complaints or observations sent by a third party relating to the activities of the accredited body within the scope of the accreditation.

7. EXTENSION OF THE SCOPE OF ACCREDITATION

An accredited body may at any time submit an application to extend the scope of the accreditation relating to the initial certificate.

8. VOLUNTARY SUSPENSION OR CANCELLATION OF ACCREDITATION

An accredited body may, on its own initiative, apply to temporarily suspend or to cancel its accreditation either totally or partially, at any time. Such an application must be sent by recorded delivery to the Board but will not release the body from its obligations to BELAC throughout the accreditation period.

When the accredited activities relate to controls in a regulated sector, any suspension or cancellation will be brought to the attention of the relevant public authorities..

9. SUSPENSION OR WITHDRAWAL OF ACCREDITATION ON DECISION OF THE BOARD

If the accreditation conditions are no longer fulfilled, BELAC may decide to suspend or withdraw the accreditation, totally or partially.

If there is evidence of fraudulent behavior of the conformity assessment body, if the body intentionally provides false information or conceals information, BELAC decides on withdrawal of the accreditation.

Such a decision will be sent:

- by a recorded delivery letter to the accredited body. It will take effect immediately upon receipt;
- to the relevant public authorities when the accredited activities relate to controls in a regulated sector.

10. CONFIDENTIALITY

All information sent to BELAC, or any of its representatives, during the administration of an application for accreditation is covered by the documented rules of strict confidentiality which apply to all members of the BELAC organs, of the secretariat and of evaluation teams. Specific provisions applicable to the Accreditation Board members, the representatives of the regulating authorities, the assessors / experts and to the secretariat staff are documented respectively in BELAC documents 3-09, 3-07, 3-05 and 5-07 and point 12 of this document.

Information about accredited bodies obtained from other sources that the body itself (e.g. complainants, regulators) are confidential. The source is confidential to BELAC and its identity shall not be shared with the accredited body unless agreed by the source.

Except in the event of a legal request or for evaluation of BELAC in view of a multilateral agreement, no document relating to an accreditation case (apart from copies of accreditation certificates and their technical appendices) may be sent to third parties by either BELAC or its representatives without prior written agreement from the body. BELAC will in no way advertise the existence of an application for accreditation until it has resulted in a certificate being issued.

Either once a case has been closed at the request of the body, or in case of withdrawal the documents related to the administration of the case and held by BELAC, will be archived for a period of 7 years and; they may then be destroyed.

11. APPEALS, COMPLAINTS AND DISPUTES

The Board of Appeals, under the supervision of the BELAC Coordination Commission, has to deal with:

- appeals relating to rejections, suspensions or withdrawals, both total or partial, of bodies' accreditation;
- complaints concerning the way in which accreditation procedures have been carried out or relating to the status of accredited organisation, including questions of technical expertise.

BELAC also considers disputes concerning the way in which accreditation procedures have been carried out or related to the performance of accredited bodies, sent by accredited bodies or other instances or persons not wishing to make a formal complaint or appeal.

BELAC commits itself to ensure that investigation and decision on appeals, complaints and disputes to not result in any discriminatory actions against the complainant.

12. SPECIFIC PROVISIONS FOR ACCREDITATION OF ACTIVITIES IN REGULATED SECTORS

Since the start of its activities, BELAC has considered the cooperation with the different parties involved in the accreditation framework as an essential achievement for its operation. In this respect, the cooperation with the regulatory authorities (also called competent authorities) plays a prominent role and should aim to fulfil the expectations of both parties.

With the provisions of the Decision EC 768/2008 and of the Regulations EC 764/2008 and 765/2008) the European Commission and the Council have reinforced the role of accreditation as a tool of choice to facilitate the free circulation of goods and services and to implement an efficient market regulation ; the texts confirm the importance of cooperation between the national accreditation bodies and the national regulatory authorities.

It is aimed, through an efficient cooperation, to ensure that the regulatory authorities gain a better understanding of the functioning of BELAC and of its level of performance ; confidence in the services provided by the accredited bodies will therefore become a fact. It is also necessary to provide evidence that the specific requirements of the regulated sectors are well understood and taken into account by the accreditation process.

Moreover, BELAC is required to cover a broad range of conformity assessment activities, including complex regulated matters in constantly evolving technical sectors. Having access to expertise is a must and BELAC should not undermine the expertise available by the regulatory authorities.

The following specific provisions are applicable when accreditation is a prerequisite for the granting of agreement or a notification to the European Commission.

- The applicant body identifies via the application form all agreements or notifications that have already been granted or are applied for, when the accreditation is a prerequisite.

BELAC keeps the right to check the comprehensiveness and correctness of the information, in cooperation with the concerned competent authorities.

- The competent authorities that are represented in the Accreditation Board are invited to take part as observers in the accreditation assessments in their respective sector of competence, when the accreditation is a prerequisite for an agreement or notification by the authority. Through the endorsement of the quotation, the applicant formally accepts the presence of one or more representatives of the concerned competent authorities during the assessment, as well as the transmission to these persons of information about the assessment. The competent authority will also mention the consequences in case of refusal.
- The competent authority is invited to inform BELAC about all potential breaches of compliance with the accreditation requirements by an accredited body. In particular, any suspension or withdrawal of an agreement or notification will be communicated. Any information on an agreed or notified body that may be relevant for the accreditation process of this body (e.g: results of participation in proficiency testing exercises organised by the authority) will be communicated to BELAC.

Depending on the nature and seriousness of the facts, BELAC takes the necessary measures for supervision (request for information, complementary assessment.) and, when justified, decides on sanctions. The competent authority is involved in the evaluation of the case.
