Quality Standards Specialist Group

Minute of the meeting held on 14 June 2012
Home Office, 2 Marsham Street, London, SW1P 4DF

Present:

Andrew Rennison	Forensic Science Regulator (Chair)
Simon Iveson	Forensic Science Regulation Unit
Peter Harper	Orchid Cellmark Ltd
Craig Donnachie	Scottish Police Services Authority
Katherine Monnery	United Kingdom Accreditation Service
Nuala O'Hanlon	Forensic Science Northern Ireland
Brian Rankin	Forensic Science Society
Karen Smith	Thames Valley Police
Val Bowman	Centre for Applied Science and Technology
Sandra Stanley	Greater Manchester Police
Merv Valentine	Guest
Ric Treble	LGC Forensics
Kevin Sullivan	Forensic Science Service
Karl Price	NPIA Forensics 21
Soheel Joosab	HO Science Secretariat

1. Welcome and apologies

1.1 Mr Rennison welcomed those present to the meeting. He informed members that Val Bowman was retiring and Merv Valentine having retired some time ago were stepping down from the group, this was to be their last meeting. On behalf of the group, Mr Rennison expressed thanks and appreciation to them both for their time, commitment and support while as members of the QSSG.

1.2 Apologies had been received from:

Shirley Bailey-Wood	British Standards Institute
Charles Welsh	Skills for Justice
Ian Brewster	South Wales Police
Karen Squibb-Williams	Crown Prosecution Service

2. Minutes and actions arising from previous meeting (29 March 2012)

2.1 Subject to a few minor corrections, minutes of the last meeting were agreed as accurate.

2.2 All actions had been completed or were the subject of agenda items.

- **Update: Proficiency trials under LAB32 (options analysis)**

2.3 Andrew Rennison advised the group that Kirsty Faulkner (NDNAD Delivery Unit Manager) has received approval to proceed with the options analysis. As a first step, the NDNAD Delivery Unit will carry out a brief assessment of the options available to Forces with regards to assessing any schemes already commercially available,

against a scheme that could be offered by the NDNAD Delivery Unit. The review will consider:

a. type of scheme required;
b. a gap analysis of those scheme that are already commercially available;
c. sketch out how such a scheme could operate within the NDNAD Delivery Unit;
d. identify any shortfall in current resources and capability within the unit to operate such a scheme and consider the pricing structure required to ensure full cost recovery is made for any scheme; and
e. recommend a way forward following consultation with the Forensic Portfolio Board and Quality Standards Specialist Group.

When a draft options paper has been produced, it will be presented to the QSSG for discussion.

- **Update on European Standards for Forensic Standards**

2.4 Mr Rennison advised that following discussion at the last meeting QSSG meeting, on the subject of the UKs position approach regarding the BSI proposal to establish a new project committee to establish European standards, that (following consultation with Scotland and Northern Ireland) he had put forward a submission to Ministers recommending that the UK vote in favour of common EU standards, but with a caveat that there be provision to consider the (thereafter) adoption of international standards on forensic science at the ISO level.

2.5 Mr Rennison reported that the CEN vote went through with a majority vote with a view to developing European standards for forensic standards. He added that he may call upon QSSG members views in negotiations, and will ensure that Scotland and Northern Ireland are included as equal partners. He believed that the first meeting of the project committee will be held toward the end of the year; and will keep the group informed as work progresses.

- **Forensic Policy Group**

2.6 Mr Rennison advised that a new forensic policy group has been established chaired by the Home Office. Membership of the group includes the CPS, ACPO, NPIA and MoJ. That group, as a first consideration, will look at the broad issue of forensic science quality performance management, and to set in place a mechanism whereby there is effective sharing of relevant information. Mr Rennison is drafting a paper to present to that group proposing that the UKAS, Regulator, NPIA and ACPO put in place information sharing agreements around quality standards performance.

3. Piloting the Codes

3.1 Simon Iveson said that for a number of months consideration has been given to how the pilots might best be taken forward. Two options were put the group. The first option is to engage the (voluntary) participation of two/three organisations (one to include a police force) to become early adopters of the Codes and take part in a pilot over a number of months. This will allow revision the Codes by the end of the year; however, that is to assume that those organisations are in a position to participate effectively. Mr Rennison will shortly approach a number of organisations to seek their participation.

3.2 If option A is not possible, the second option (B) is still to look toward publishing a revised Codes at the end of the year, but, in the meantime, undertaking a 'desktop' exercise with UKAS technical assessors and a pre-assessment day/session for participating organisations involved in the pilots. This would allow deferring the more tasking pilots until the New Year, where prospective organisations can time in line with UKAS their annual surveillance visits (this would reduce costs and allow organisations time to adjust for feedback and findings from the desktop exercises).

3.3 Mr Rennison sought from members a steer as to which of the two options is the preferable. Kath Monnery indicated that, from a UKAS perspective, option two would be the preferable.

3.4 Mr Rennison said that although the aim was to have a revised version of the Codes ready and published by the end of the year, a number of competing key areas of work are now demanding equally significant resourcing. Therefore, he is content that the timetable for re-publication move back slightly providing that there is a plan in place to maintain momentum and so to not speed matters up unnecessarily - he is very aware of the burdens organisations are under and does want to unnecessarily add to that load.

3.5 The original consideration was that UKAS would initiate a comprehensive pilot of the Codes with around six organisations over a twelve month period. Mr Rennison said that he no longer sees a need for that approach. Given that the Codes have undergone a number of 'dry-runs' and detailed consultation process with members from the QSSG, he feels that the Codes are in a workable condition. Therefore, if members are agreeable with the two options (referred to as plan A and plan B), consideration will be given to adopting either. When further consideration has been given and discussed with the UKAS, Mr Rennison will come back to the group with the advantages/disadvantages of each option.

3.6 Under Plan A, there would only be a few police forces that would currently be eligible (i.e. those already accredited to ISO17025), and so plan A would have a fairly rigid eligibility criteria (ISO17025 would be a pre-requisite) – plan B would allow a wider eligibility criteria.

3.7 Plan A does not allow for a pre-assessment phase as the process would be a relatively quickly one. Plan B would allow for that pre-assessment phase.

3.8 If an organisation was in Plan B, but was not accredited to the ISO17025 at that time there would be an expectation that the organisation would have to have their assessment application for 17025 registered at the time of the desk-top exercise.

4. Statement of requirements - DNA

4.1 Mr Rennison said that he does not intend allowing the DNA profiling standards to slip backwards while waiting for the laboratories to catch-up with the EU accreditation requirements, therefore the commencement date of April 2012 is used rather than October 2013. However certain simple DNA swabbing activities, using appropriate guidance, will continue to be permissible up to October 2013 without accreditation

4.2 Workshops are being run by the NPIA to establish what forces are doing about managing risks, especially in the interim period before achieving accreditation. Every force is operating with a roadmap and each force has an accreditation action plan which forms part of the roadmap.

4.3 Mr Rennison said the he has an agreement with ACPO colleagues from the Forensic Science Portfolio that it would be unacceptable for forensic science work to be transferred from accredited providers to an unaccredited environment. He further advised that he had been in consultation with DCC John Fletcher, and whilst accepting that the same standards should apply to work undertaken in police forces as to work undertaken by forensic science providers, agreed that stopping immediately all screening activity in forces would introduce other risks to the CJS. The agreement was therefore for visible blood screening to continue up until the EU decision 2009/905/JHA deadline provided the risks were managed by following the guidance issued by NPIA on blood screening.

4.4 At the last meeting there was a suggestion that a number of case studies might be produced to assist forces. Mr Rennison reported that there have been workshops nationally with every police force invited, he said that he had recorded a presentation which was shown at all the workshops which presented his views and the statement of requirements which sets out what forces can, and should not, be doing and offering to forces that if they have any doubts or questions that he would be happy to talk these through. This is to bear in mind that all forces were written to eighteen months' ago advising that high risk practices should be stopped, and that he was receiving assurances that these had stopped.

4.5 Kath Monnery advised the group that she and Chanda Lowther-Harris had tried to see if suitable examples could be found. She said that they found it difficult it terms of trying to find the examples to put forward for each of the different sections, and therefore it is likely that police forces may also find it difficult to understand the differences between the various levels of expectations.

4.6 Given the above, Kath Monnery circulated a draft paper that had two possible case versions. The first, a very simplified version, stated that all laboratory based forensic activity must be accredited to ISO17025 by October 2013 – this would be with the caveat that if a force demand that a commercial provider's laboratory activity be accredited, any equal 'in-house' laboratory activity should be equally accredited.

4.7 The aim was to produce live examples to help illuminate the position and what might be misunderstood by some practitioners.

4.8 Mr Rennison reiterated the mandatory elements – that he, as Regulator, has mandated through the statement of requirements and that Europe is mandating through the framework decision of the 2013 date (which is an absolute deadline), therefore, until (and if) the Regulator is placed on a statutory footing, it remains that it is advice from the Regulator which benefits the CJS and does its best to protect quality. The advice from ACPO circulated to forces is clear in stating that forces should operate within the guidance as set down by the Regulator.

4.9 Kath Monnery suggested that one option that 'simplified version' saying that all forces have to be accredited by 2013, but in the interim if accreditation is not held an

action plan is required to demonstrate how the risks will be managed and accreditation achieved.

4.10 Given the deliberations of the group, Andrew said he felt that a more simplified version was preferable option and although the 2012 date would remain and forces with an agreed action plan may be permitted to continue up to EU deadlines for certain aspects of the work. The wording will have to be revised so be clear and underpinned by risk management processes and force action plans (with the 2012 date(s) standing) – this was agreed by the group.

Action: Andrew Rennison/Simon Iveson to revise wording

5. Language in Statements of Accreditation (paper QSSG 2012-06-14-3)

5.1 Mr Iveson presented the paper and opened the item saying that as part of the suite of guidance documents that an outline draft of Statement Guidance had been produced. However, this was held back for inclusion in the Codes as it was considered that the draft appendix required further consideration around the language used and the principle of inclusion of text on accreditation in statements (i.e. 'where an organisation holds accreditation against ISO17025 its employees may make reference to this in reports and statements'). He added that he felt the latest version is more usable than the original one, and asked for feedback from the group as to whether the appendix should be included and the text/language used.

5.2 Kath Monnery said that careful thought would be required, and that any decision should be made in hand with the UKAS as there are rules in referring to accreditation and rules on the methods leading to accreditation. Additionally, she said that one of the key issues organisations will have with reference to accreditation statements is that if one is not accredited to an activity it would have to openly be disclaimed – not simply omit that the activity is not accredited, and that is something where a number of organisations have steered away from (albeit perhaps unintentionally) in their position in statements.

5.3 A suggestion was put that the proposed guidance should clearly include what practitioners should and need not include in statements; this should include the area of accreditation/credentials. A point was put forward that a considerable number of end-users may fall under the misconception that accreditation and certification are one and the same, and may only have a basic concept of the meaning of accreditation, and are under the impression that if an organisation is accredited the implication is that the organisation is accredited in all aspects.

5.4 Mr Rennison reported that this is an issue that has been considered by the judiciary, and that it is an important area of work that needs to be progressed – this was agreed by the group.

6. Publishing appendices (paper QSSG 2012-06-14-4)

6.1 In addition those already drafted, Simon Iveson said that he was hoping to table one or more of the proposed forensic disciplines that might warrant separate appendices. However, that has not been possible as the publication process is still being worked through. Simon Iveson talked though the paper reminding members which are currently in various stages of production (and with associated specialist

groups), and advising that a number of draft appendices will be shortly published for (a three month) consultation.

6.2 Regarding paragraph 4.f. of the paper (*Handling complaints in relation to the FSS archive*), the forensic providers of the QSSG (in inheriting cases from the FSS) felt it would be of benefit if they could have early sight of that draft appendix – Mr Rennison agreed this.

Action: FSRU

6.3 Under paragraph 4 (drafted appendices to be considered for formal consultation in 2012/13), Mr Rennison said that archaeology and toxicology are also well under way.

6.4 In producing and revising papers, Mr Rennison requested that draft guidance papers should be circulated to associated specialist groups for consideration as early as possible, rather then waiting for formal scheduled meetings.

7. Validation guidance (paper QSSG 2012-06-14-5)

7.1 Mr Iveson opened the item saying that at the last meeting of the QSSG a number of concerns were raised about the 'uncomfortable' paragraph numbering of the draft Validation Guidance Appendix. He said that there had not been an opportunity to hold an editorial meeting ahead of this one, and asked the group for a steer as to the possible preferred format for numbering the document and how to progress it. However Mr Iveson said that following the last QSSG meeting that he had carried out some revisions and structure to the document.

7.2 Kath Monnery suggested that organisations may well not have a fundamental understanding of what validation is and so if wishing to help practitioners to move forward to meet the Codes, the document needs to convey in clear and easy language what is required. Therefore a plain guide, (for use of those who are not necessarily quality managers) with as un-obtrusive numbering as possible may be the way forward. From the options given, example numbering D was preferred (greyed out, no prefix) although having no numbering was still certain members' preference.

7.3 It was suggested that a worked example would be of benefit covering user requirements, technical specifications, risk assessment, and the difference between validation and verification all set out in clear terms. Any examples that the group come across should be sent to Simon Iveson.

7.4 In considering such guidance, it would have to be borne in mind that such guidance that non-scientists may be the audience, and so in drafting the language will have to be considered. There was consensus on this point and it was agreed that the preferred approach would be to produce the paper stand-alone guidance.

7.5 Following discussion, it was agreed that the draft should be re-drafted to take into account that the paper may will be a stand-alone guidance – opposed to an appendix in the Codes, with appropriate language (taking in account that it may be read by a individuals who are not quality managers) to make clear (with possible examples) what validation, accreditation and acceptance criteria is, and the methodology and processes to achieve that.

7.6 The group agreed not to circulate the paper to QM's/SSM's as yet, but, on the back of the QSSG discussion, to circulate after further consideration and revision by Simon Iveson.

8. Defence Access (paper QSSG 2012-06-14-6)

8.1 Simon Iveson reported that a small meeting followed the last QSSG to discuss the Defence Access Paper. Although discussion called into question the requirement for a dedicated appendix on defence procedures, in principle, there was support for accreditation of defence experts and that this should be made clear in the Codes. In the paper presented by Simon Iveson there were three proposed options for the group to consider as a way forward:

a. Suspending further work on the guidance;

b. Publishing as is for consultation to gather views from a wider group; or

c. Working with CPS to address specific issues to streamline access.

8.2 Following discussion, agreement was for option 'c'.

Action: FSRU to progress

9. AOB

9.1 None.

10. Date of next meeting

13 September 2012, 11:00a.m, Home Office, 2 Marsham Street, London SW1P 4DF