



Department for  
Communities and  
Local Government

# Guidelines on the UK designation Technical Assessment Bodies (TABs) under the Construction Products Regulation (305/2011/EU-CPR)



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Department for Communities and Local Government  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF  
Telephone: 030 3444 0000

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# Issued by the Department for Communities and Local Government, July 2011 updated August 2015 with clarifications but no change to guidelines.

These guidelines describe the requirements applying in the United Kingdom for the assessment, designation and communication of Technical Assessment Bodies (TABs) under the EU Construction Products Regulation (305/2011/EU-CPR). These guidelines will be updated as and when necessary

## 1. Introduction

1.1. The EU Construction Products Regulation (305/2011/EU-CPR) (the “Regulation”) applies from 1 July 2013 and is directly applicable in UK law.

1.2. Under the Regulation, CE marking is an option (but not a legal obligation) for a construction product that is not covered or not fully covered by a European harmonised standard (some innovative products, for example). The manufacturer of such a product can apply for a European Technical Assessment (ETA) as a route to CE marking. European Technical Assessments are based on European Assessment Documents<sup>1</sup> (EAD). Both of these documents are prepared by Technical Assessment Bodies<sup>2</sup> (TABs).

1.3. Article 29.1 of the Regulation allows Member States to designate TABs within their territory as being competent to discharge the obligations of the Regulation, in particular the obligations set out in Chapter V. The Secretary of State for the Department for Communities and Local Government (the “Department”) has the responsibility for designating TABs in the UK and for communicating the designations to the European Commission and other Member States, which is done using the Commission’s electronic information system (NANDO<sup>3</sup>) and updating as necessary.

## 2. Criteria, Application and Designation

2.1. TABs will need to meet the relevant requirements set out in the Regulation, for example, Articles 30 and 31 and Table 2 of Annex IV. However, it should be noted that meeting the requirements of the Regulation will not automatically lead to designation as this remains at the discretion of the Secretary of State.

<sup>1</sup> See Articles 19 and 20 of the Regulation.

<sup>2</sup> See Articles 29 and 30 and Annex IV of the Regulation

<sup>3</sup> The New Approach Notified and Designated Organisations (NANDO) Information System - <http://ec.europa.eu/enterprise/newapproach/nando/index.cfm>

2.2. To be eligible for designation as a UK TAB for the purposes of the Regulation an applicant must :

- be a legal entity in the UK.
- exercise management control of the work
- have technical capability and carry out its final assessment functions within the jurisdiction of the United Kingdom.

The applicant may conduct technical activities, or have technical activities conducted on its behalf, outside the jurisdiction of the United Kingdom.

## **Applying to UKAS**

2.3. Applicants will be required, in the first instance, to make an application for accreditation to UKAS under ISO/IEC 17065, the recognised standard for bodies operating product certification systems. The application should detail the scope of accreditation as identified in Table 1 of Annex IV of the Regulation.

2.4. Applications should be submitted using the relevant UKAS form (AC1 - available from [www.ukas.com](http://www.ukas.com)) dependent upon the standard against which accreditation is required. Applicants should indicate the particular product areas for which they wish to be designated. UKAS will quote and charge applicants against its standard scales of charges for its accreditation activities under the provisions of these guidelines. UKAS has established procedures to handle complaints or appeals associated with its assessment activities.

2.5. At the same time as it submits its application for accreditation to UKAS, the applicant will be required to send a copy of the application to the Department. This will provide the Secretary of State with advance notice of the intention to apply for designation.

## **Applying to DCLG for notification**

2.6. Once UKAS has completed its assessment and accreditation, it will:

- issue an accreditation certificate,
- a final assessment report
- an accreditation schedule to the applicant.

2.7. The applicant should then submit an email request for application for designation to the Department. The application should describe the product areas listed in Annex IV (Table 1) of the Regulation for which the applicant seeks to be designated and should be accompanied by :

- the supporting UKAS accreditation certificate,
- schedule and final assessment report issued by UKAS
- evidence of the applicant's insurance cover (see paragraph 3.9).

The Department may request further information from UKAS about the applicant's accreditation, as required.

## **Designation by DCLG**

2.8. The Secretary of State will make a decision on designation on the basis of all of the evidence. If satisfied that the applicant is fit for designation under the Regulation, the Secretary of State will issue a letter of designation.

2.9. The precise terms of designation will be set out in the letter of designation. The letter will include conditions that the applicant will be asked to accept, such as:

- contributing with financial and human resources to the organisation of TABs;
- taking part in co-ordination activities at both UK and European level;
- submitting to surveillance annually or exceptionally at other intervals identified as appropriate and required by the Department;
- submitting to a full UKAS reassessment every four years or other intervals thought appropriate by the Department;
- contributing information for use at the Standing Committee for Construction.

3.0 Once acceptance of the conditions of the letter of designation has been received from the TAB, the Department will communicate the TAB's designation to the European Commission and inform the other Member States using NANDO, at which point the designation will become effective.

NOTE: An applicant should allow at least a month from signing off the designation letter to becoming listed as a TAB onto the NANDO website.

## **3 Meeting the Criteria**

### **Assessment and accreditation**

3.1 Applicants are required to demonstrate conformity with the requirements set out in the Regulation by being accredited to the appropriate scope of ISO/IEC 17065, which contains requirements for bodies performing certification of product, process or service

3.2 In all cases, the accreditation standard will be applied in accordance with guidance on the accreditation of assessment bodies<sup>4</sup>.

NOTE: Consideration is being given at both national and European level to the use of the various ISO/IEC 17000 standards for the accreditation of TABs. The standards against which accreditation may be carried out for the purposes of designation in accordance with these guidelines may change depending on the outcome of this work.

3.3 All applicants, as part of the accreditation process, will need to meet any additional requirements set out in these guidelines, which may change from time to time.

<sup>4</sup> Available from the EA website at [www.european-accreditation.org/publication/ea-2-17-inf-rev-2-may-2015](http://www.european-accreditation.org/publication/ea-2-17-inf-rev-2-may-2015)

3.4 UKAS will undertake an assessment of the applicant to ensure that the applicant has the necessary understanding of the Regulation, professional ability, technical knowledge and capability to carry out the relevant activities. The scope of accreditation and subsequent designation will be determined by reference to the product areas.

3.5 Reassessment and surveillance will be carried out on behalf of the Secretary of State, normally by UKAS, in line with usual accreditation practice and the conditions contained in the letter of designation. A report on the reassessment and surveillance will be sent to the Secretary of State. UKAS will advise the Department of the outcome of annual surveillance, four yearly re-assessment and any other necessary monitoring in intervening periods in order for the Department to take any necessary decisions about the continuation of the designation. The information provided by UKAS to the Department will include supporting documentation such as a copy of the assessor's visit report, an updated schedule of accreditation, details of identified deficiencies and any agreed remedial action. The Department may request further information about the assessment and surveillance activities, as required

### **Quality System**

3.6 Applicants will need to have a Quality System, usually specified in a Quality Manual, and associated documented operational procedures, appropriate to the systems and harmonised technical specifications which it wishes to certify or test to. The Quality System will need to ensure that all of the relevant requirements of the appropriate standards in the EN 17000 series are met plus any further requirements for designation and operation as a TAB

### **Sub-Contracting**

3.7 Where a TAB wishes to sub-contract assessment work, the TAB will at all times be responsible for ensuring that the work is carried out in accordance with the requirements of the Regulation. The quality manual of the TAB will need to describe the procedures to be followed by the TAB to ensure compliance by the sub-contractors with the relevant requirements of the Regulation and to demonstrate that the sub-contractor is competent to carry out the task for which it has been engaged.

3.8 Such competence will include, but is not limited to, the ability to conform fully to the requirements that are placed on the TAB itself in respect of the task contained within the subcontract. The TAB will need to maintain documented procedures for the assessment and monitoring of sub-contractors, and a list of sub-contractors and the facilities used by them to carry out work on behalf of the applicant

### **Insurance**

3.9 All applicants will be required to demonstrate that they have adequate public liability and professional indemnity insurance for the activities they wish to carry out. Evidence of this should be submitted to UKAS and to the Department at the point at which a body makes an application to be designated as a TAB. Thereafter, the TAB should make

available to UKAS evidence of insurance at each annual surveillance undertaken by UKAS. Such cover should extend to the whole of the European Union, the EEA, or, if the applicant intends to carry out work under the Regulation outside these areas, world-wide. The Secretary of State will not in relation to any case or circumstance, be responsible for a TAB's liability

## 4 Duties of TABs

4.1 A TAB must carry out the duties and tasks as defined in the Regulation that fall within the scope of its designation.

4.2 Where judgments or interpretation of a requirement are implicit or explicit in a decision to grant or withhold certification, the TAB must have procedures for achieving consistency. TABs shall contribute with financial and human resources to the organisation of TABs to achieve wider European agreement on interpretation and application of the Regulation.

4.3 A TAB shall maintain an up to date record of any certification which it has issued, and to whom it has been issued. The records shall be made available for scrutiny at any reasonable time on request from the Secretary of State or such other person as may be authorised by the Secretary of State

4.4 A TAB must inform the Secretary of State and UKAS immediately of any changes within its business, organisation, procedures or operation that in any way affect its ability to carry out the duties within the authorised scope to the declared procedures. This includes any change in its status, ownership, location, key personnel, technical competence, facilities etc.

## 5 Misuse of Certificates and Conformity Numbers

5.1 The TAB's quality system should include the TAB's policy and procedures for resolving misuse of the ETAs, other certificates it has issued, its name or logo, including withdrawal of the document or appropriate legal action

## 6 Use of UKAS Symbols

6.1 TABs may make reference to UKAS Accreditation or include the relevant National Accreditation Symbol on documentation issued where the work reported is included within the scope of accreditation of the TAB..

6.2 Certificates bearing an accreditation symbol must comply with the requirements of the relevant standard against which accreditation is held (e.g., ISO/IEC 17021), with the requirements for notification and with any other requirements specified by UKAS.



## 7 Mutual Recognition Agreements

7.1 Applicants should note that the European Union aims to reach Mutual Recognition Agreements with key trading partners. Under these agreements, TABs may be eligible to perform assessments, as required, by the third country's laws and, similarly, those trading partners' equivalents to TAB may be eligible for designation to perform assessments under the Regulation. If an applicant organisation wishes to be considered for designation under Mutual Recognition Agreements, it should inform the Department

## 8 Contact Points

Department for Communities and Local Government  
Building Regulations and Standards Division Fry Building, 2 Marsham Street London  
SW1P 4DF  
Email: [construction.products@communities.gsi.gov.uk](mailto:construction.products@communities.gsi.gov.uk)

United Kingdom Accreditation Service  
21 - 47 High Street  
Feltham  
Middlesex, TW13 4UN  
020 8917 8400 Email: [info@ukas.com](mailto:info@ukas.com)

## 9 Sources of Relevant Documents

The Construction Products Regulation:  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:088:0005:0043:EN:PDF>

Information on the EN 17000 series of standards and product standards:  
<http://www.bsigroup.com>

European Organisation for Technical Assessment (EOTA): <http://www.eota.eu>