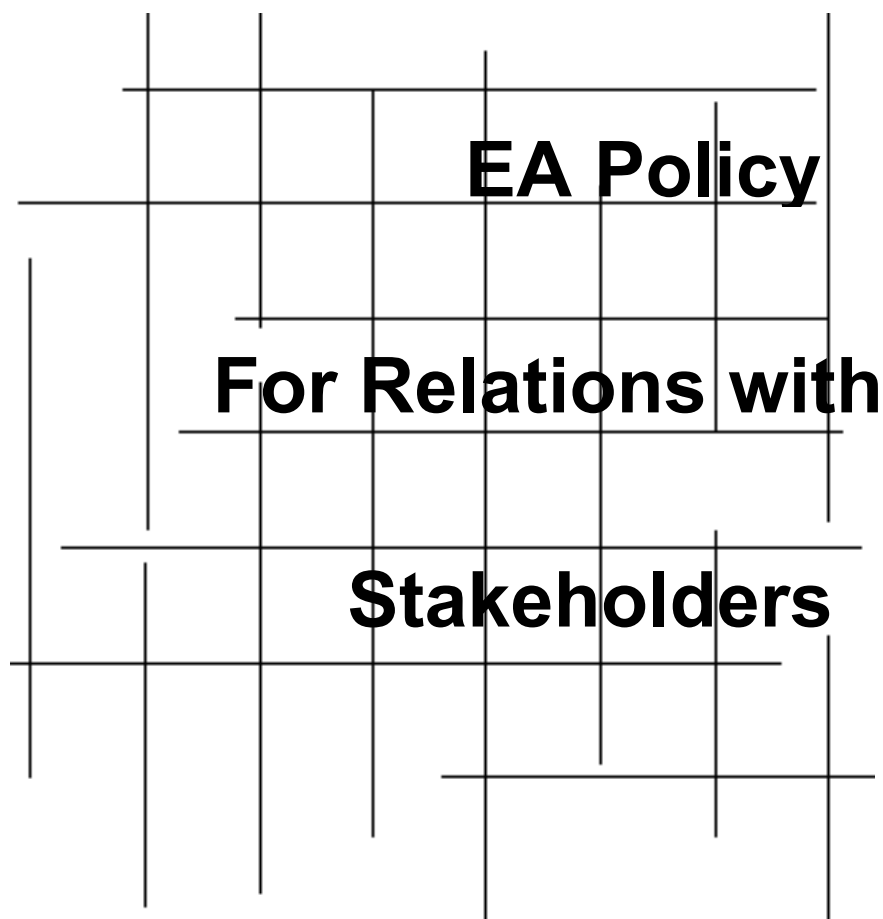

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PURPOSE

This document sets out the general policy for EA's relations with stakeholders, including the establishment of a category of Recognised Stakeholders for those organisations that wish to participate more fully in the operational work of EA. A template for an agreement between EA and Recognised Stakeholders is also given.

Authorship

The publication has been written by the EA Executive Committee together with the EA Advisory Board.

Official language

The text may be translated into other languages as required. The English language version remains the definitive version.

Copyright

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Further information

For further information about this publication, contact the EA Secretariat. Please check our website for up-to-date information <http://www.european-accreditation.org>

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1. PREAMBLE

EC Regulation 765/2008 lays down a comprehensive regulatory framework for the organization and operation of accreditation at national and European levels, including the definition of its intended role in the procedures for recognition and notification of conformity assessment bodies attesting compliance with the requirements of the applicable European legislation (Directives and other legal regulatory documents).

This Regulation, in a number of places, emphasises the important role to be played by the stakeholders in accreditation and, notably, provides a legal basis for their involvement within both the national accreditation bodies and the European accreditation infrastructure (EA).

The relevant regulatory requirements are the following:

- National accreditation bodies shall establish and maintain appropriate structures to ensure the effective and balanced involvement of all the interested parties both within their organisations and the body recognised under Article 14 (*i.e.* EA) (Article 4, paragraph 11 of the Regulation).
- Stakeholders shall have the rights to participate in the system set up for the supervision of the peer evaluation activities, but not in individual peer evaluation procedures (Article 10, paragraph 2 of the Regulation).
- The Body (*to be recognized under Article 14, i.e. EA*) shall consult all relevant stakeholders (Annex I, paragraph 3).

Moreover, it is in the EA's own interest to benefit from the inputs provided by the institutional, social and economic parties having direct and indirect interests in the accreditation activities and to favour their contribution.

Furthermore, the "General Guidelines for Cooperation between EA and the EC, EFTA and the competent national authorities" (published in the Official Journal: 2009/C 116/04) state that:

- European accreditation policy objectives include to support a high level of quality for all conformity assessment activities whether they are undertaken in the implementation of legislation or not and to enforce transparency in pursuit of these activities. For that purpose, involvement of relevant stakeholders into the development of accreditation policy is essential in order to ensure overall acceptance and a coherent approach.
- The internal rules of EA should ensure that, whether in the regulated and the non-regulated area, stakeholders in accreditation are adequately represented, so that the broadest possible range of views is taken into account in drawing up accreditation guidelines and other documents and that the procedures are open and transparent.
- EA is expected to cooperate with stakeholders and parties concerned and establish and maintain an appropriate mechanism for them to make their views known.

In the light of the above, it is essential for EA to set up and implement an appropriate policy for its relations with the stakeholders to enable their involvement and/or consultation, as far as appropriate and applicable, in line with the legislative requirements and according to its very needs.

This paper provides the underlying principles for the above policy, based on an approach as open and inclusive as possible, and, at the same time, properly structured and organized.

These principles may be further defined in the EA organizational and procedural rules, including any necessary amendments to the Articles of Association and Rules of Procedure and any other pertinent EA document.

The implementation of the present policy shall address, as well, the need for ensuring the EA's capability to manage the expected growing number of bodies who want to have close relations with EA – as indicated by the many requests being received – and, in general, to manage the appropriate mechanisms for consultation of all the interested parties. Such developments will have an impact on the structure and organization of EA, including the need for reinforcing the capabilities of the EA's Secretariat

2. THE POLICY

2.1 General criteria

Organizations or bodies that have an interest in being formally involved in the EA associative life, but do not meet the criteria for being an EA Member or a signatory of a Contract of Cooperation with EA, may apply to EA to become a “**Recognised Stakeholder**”.

The specific term “Recognised Stakeholder” is used to indicate a more specific relationship with EA than that which EA has with other generic stakeholders (that is, parties having interest in European accreditation but not necessarily wanting or able to be institutionally linked to EA).

Recognised Stakeholders must be organizations or bodies, either private or public, having a distinct European or international role (in this latter case being actively present in the European social and economic context) and bearing a clear interest in accreditation activities. Associations, in particular, must have a significant membership from the EU and EFTA Member States.

A non-exclusive list of categories of bodies that may be Recognised Stakeholders is given in the Annex A to this document.

It is noted that organisations or bodies of this kind are already present in the EA associative framework and have been included so far under the generic category of “observers”.

The status of becoming a Recognised Stakeholder will be formalized by an agreement in writing between the Body and EA. Such agreements will define the rights and obligations of the particular Recognised Stakeholder based on the general principles set forth in this document. A template for such an agreement is attached at Annex B.

Admission to the status of Recognised Stakeholder is decided by the EA Executive Committee, following consultation with the EA Advisory Board (EAAB) (see 2.2), and subject to endorsement by the EA General Assembly.

Organizations or bodies that (at the time of publication of this document) have already signed MoUs or cooperation agreements with EA and are presently being considered as “EA Observers” will be confirmed in the status of Recognised Stakeholder, provided they so wish and the applicable requirements are fulfilled.

2.2 The EA Advisory Board

The EA Advisory Board (EAAB) constitutes the main forum for EA to ensure the “effective and balanced involvement of all the interested parties” and should therefore become an integral part of the EA's organization.

Private and public entities represented in the EAAB, pursuant to the Terms of Reference of the Board, are treated as Recognised Stakeholders of right. If desired by the concerned entity, such treatment is maintained even after completion of the tenure in the Board for those parties serving on a rotational basis.

Besides having a major role in addressing the EA's policies and strategies, the EAAB should also have a role in fostering and coordinating, as far as necessary and applicable, the participation of Recognised Stakeholders in the EA's technical activities and in enabling appropriate supervision by them of the EA's peer evaluation system.

In this respect, there is the need to reinforce the functioning of the EAAB, optimizing its degree of representation of the different Recognised Stakeholder categories, improving its working procedures and strengthening its links to EA from both structural and operational points of view.

In addition to direct participation in the EA's associative life in the terms described above, Recognised Stakeholders are thus encouraged to make reference to the EAAB, in the forms foreseen by its Terms of Reference, as an effective channel for their interaction with EA.

2.3 Participation of Recognised Stakeholders in EA activities

2.3.1 General

Recognised Stakeholders are invited to participate as an observer in the meetings of the EA General Assembly (with no voting rights, and except for parts of the Assembly restricted to Members) with normally one representative. Larger participations must be agreed with the EA Chairman.

Recognised Stakeholders are also invited to take part in and actively contribute to the work of EA Technical Committees, Working Groups and Task Forces.

In welcoming their contribution to the EA technical activities, the following general rules should be observed, whenever possible:

- a) Recognised Stakeholders shall not have the majority in EA Technical Committees or other technical organs of the Association;
- b) A balanced representation of interests shall be ensured (no Stakeholder interest shall be over-represented);
- c) The size of the groups shall be kept within the dimensions appropriate to the efficiency and effectiveness of the technical work, by adapting the participation of Recognised Stakeholders to an adequate number of representatives of the different groups of interest.

The EA Executive Committee and the EA Technical Committees are responsible for the enforcement of the above rules, the latter both within itself and its Working Groups and Task Forces, and the former within the working parties it may directly establish.

For Working Groups and Task Forces, deviations from rules a) and b) may be allowed in special cases, where the contribution of one or more particular Stakeholder groups is of major relevance for the effectiveness of the technical work, subject to approval of the competent EA Technical Committee or of the Executive Committee. In such cases, the convenership of the Working Group or Task Force may also be attributed to representatives of Recognised Stakeholders, if deemed appropriate.

If necessary, the EAAB may be consulted in relation to the above.

Within this framework and in addition to their direct involvement in the technical activities as stated above, Recognised Stakeholders will be given appropriate access to all policy and technical documents (e.g. through the EA's intranet) and will have the opportunity to contribute to the development of all such documents, regardless of the EA Committee responsible for such development, through providing inputs and comments during the drafting or revision stages, although not being entitled to vote on their approval.

2.3.2 Participation of Recognised Stakeholders in the supervision of the EA peer evaluation activities

Proper mechanisms will be established to enable Recognised Stakeholders to participate, under suitable terms and conditions, in the supervision of the peer evaluation activities.

In general, Recognised Stakeholders will not be involved in individual peer evaluation processes and, as such, they are excluded from participating in the meetings of the EA Multilateral Agreement Council (MAC) where decisions on these evaluations are taken and from having access to the related specific evaluation documents.

Appropriate information will, however, be provided to them through adequate mechanisms. These will include – but not necessarily be limited to – the participation of representatives of the EAAB, as observers, in the meetings of the EA MAC, with access to the related documentation.

The EAAB delegates to the EA MAC will duly report to the Board, whose members may then report to the parties they represent.

2.4 Relations with interested parties other than Recognised Stakeholders

2.4.1 General

EA will set up appropriate procedures to ensure that European and international interested parties, not being Recognised Stakeholders (here designated as generic "stakeholders"), be consulted on specific issues and given the opportunity of expressing their inputs and views, regarding both policy and technical matters.

Economic, social and technical parties – such as industry and trade associations including SMEs associations, consumer associations, technical institutions and others – will be consulted on policy and strategy issues, whenever appropriate and applicable, through suitable channels by a centrally managed process. It is expected that the consulted organizations are adequately representative of the respective stakeholder categories and that an appropriate balance is observed in the consultation process.

2.4.2 Observers

Observers are not members of EA, but will be given the status specified in the following.

The international and regional accreditation organisations presently included in the EA observer list will keep their observer status. Relations between EA and other regional accreditation organisations may be further developed through specific cooperation agreements that fall outside the present policy.

Other parties may apply to obtain observer status which may be granted upon approval of the EA Executive Committee.

Observers will be regularly invited to participate in the meetings of the EA General Assembly, being thus duly informed of the activity of EA and having the possibility of expressing their views and providing their inputs on such occasions. They will not be involved, however, in the formal process regarding the development of EA documents, this being restricted to EA Members and Recognised Stakeholders.

ANNEX A

Indicative list of categories of European and international Bodies that may be Recognised Stakeholders

- European Regulatory Authorities, such as the European Commission (and its Services) and EFTA;
- National Authorities and Regulators of the EU and EFTA Member States;
- Associations of conformity assessment bodies and similar;
- Associations of Metrological Institutions;
- Associations of research, tests, measurements and analysis operators; scientific and research associations in general;
- Scheme owners; organizations managing sectoral certification schemes operated or intended to be operated under the EA MLA;
- Associations of manufacturing, trade and service industries, including SMEs, relying upon accredited conformity assessment services;
- Standardization bodies;
- Accreditation bodies that are not EA Members;
- Association of Consumers;
- Bodies of the United Nations.

Annex B

Template for Agreement with Recognized Stakeholders



Stakeholder LOGO

Recognised Stakeholder Agreement

between
The European co-operation for Accreditation (EA)

and
..... (the Stakeholder)

EA the “European co-operation for Accreditation” – which is the Association of nationally recognised Accreditation Bodies of the Member States of the European Union (EU) and of the European Free Trade Association (EFTA) and of countries that have been formally identified as candidates for membership of EU and EFTA – whose mission is to provide, through its members, effective and reliable accreditation services fulfilling at best the needs of the European economy and society

and

The Stakeholder “.....” – which is – whose mission is to

hereinafter referred to as the Parties,

recognizing that

- EA applies, for accreditation, the pertinent standards and guides, duly supported by EA applicative documents, to further the effective and harmonized operation of accreditation by its member Accreditation Bodies.
- EA ensures that such Accreditation Bodies are properly following the applicable rules and duly enforcing their observance by the accredited conformity assessment bodies, by operating a peer evaluation system founded on solid and transparent criteria and procedures and managing the related Multilateral Agreement (MLA).
- Accreditations issued under the EA MLA pursuant to the provisions of Regulation (EC) 765/2008 – that establish, among others, a legal base and principle rules for accreditation, strengthen its use in the mandatory area and provide for the recognition of EA as the official European Accreditation Infrastructure – provide confidence in the effectiveness of conformity assessment services and in the reliability of the corresponding results, contributing to promote their recognitions and use in both voluntary and regulated areas.

- The Stakeholder (e.g. relies upon the use of accreditation and/or accredited conformity assessment services or represents accredited conformity assessment bodies or works in the field of standardization or in other technical and scientific fields correlated to accreditation and conformity assessment or manages conformity assessment schemes or represents economical and social interests benefiting from accreditation and accredited conformity assessment services, etc.) and may provide a significant contribution to the best development of the accreditation rules and practices.
- A recognised cooperation between the Parties will be beneficial to both organizations and to the respective members and stakeholders.

All the above being stated, the Parties have reached the following agreement

- The stakeholder organization will be recognised by EA as a Recognized Stakeholder.
- A representative of the Recognized Stakeholder will be invited to attend meetings of the EA General Assembly (with no voting rights and except for parts restricted to EA Members).
- Representatives of the Recognized Stakeholder will be entitled to participate in the work of Technical Committees, Working Groups and Task Forces of EA (excluding the fora institutionally reserved to particular member categories, for example, the meetings of the EA MLA Council).
- EA will make available to the Recognized Stakeholder the relevant policy and technical documents and will grant appropriate level of access to the EA Intranet. The Recognized Stakeholder will have the opportunity to contribute to the development of such documentation, providing inputs and comments, although not being entitled to vote on their approval.
- The Recognized Stakeholder will regularly inform EA on the development of those of its activities that are related to those of EA.
- The Recognised Stakeholder will provide financial compensation for costs incurred by EA or EA AB members, such as paying registration fees for participation to the EA General Assemblies and other meetings .
- EA and the Recognised Stakeholder may arrange joint cultural/educational initiatives, such as conferences, seminars, workshops, training courses and other pertinent activities. The practical modalities and the financial aspects of such collaboration will be subject to separate specific agreements.
- In the frame of this *Agreement* , the Parties will provide each other with the details of one or more contact persons.
- The Parties will observe confidentiality regarding information mutually exchanged and identified as confidential. Breach of confidentiality may lead to the termination of this *Agreement*.

This *Agreement* shall enter into force upon signature by both Parties.

The *Agreement* is concluded for an indefinite period of time and will be formally reviewed every two years after its signature and amended, as far as necessary and applicable, including possible development into stricter forms of cooperation or termination. The *Agreement* may, however, be terminated at any time by any one of the Parties, after due notification to the other Party.

In witness whereof, the undersigned, being duly authorized by the respective organizations, have signed this *Agreement*.

Done at, in duplicate, on, in the English language.

For EA
The European co-operation for Accreditation

For the Stakeholder Organisation
.....

The Chairman

The Legal Representative