

Refcom F gas Company Certification Scheme Operation Booklet

This booklet sets out how businesses apply for certification and how applications are dealt with.

It also deals with the ongoing audit requirements for businesses holding a Full Company Certificate and how any problems such as audit non-conformities are handled.

The final sections set out the arrangements for dealing with appeals against the refusal of an application, or the suspension or withdrawal of certification.

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Introduction

Refcom Certification Ltd (referred to in the rest of this booklet as Refcom) has been appointed by the Secretary of State for the Environment, Food and Rural Affairs to operate as a Certification Body under the stationary equipment provisions of the Fluorinated Greenhouse Gases (FGG) Regulations 2009. Refcom has also been appointed by the Department of Environment in Northern Ireland under separate NI Regulations.

These Regulations implement the European Commission's F gas Regulations which require all businesses that install, maintain or service stationary refrigeration and air-conditioning and/or heat pump (SRAC) equipment to be certificated every three years.

Full details on the scope of the FGG Regulations can be found on the Refcom website at www.refcom.org.uk.

1. Application process and certification standards

To obtain an F gas certificate, businesses must declare basic information about the business and prove that all employed refrigerant handling engineers are competent to carry out their work – ie that they have the necessary qualifications set out on the following page.

1.1 Applications for certification

There are two levels of certification:

1.2 Stationary Equipment Qualification Company Certification (Full)

By **4 July 2011** all businesses must hold a Stationary Equipment Qualification Company Certificate - referred to in the rest of this booklet as a Full Certificate.

Full Certificates are valid for three years and must then be renewed.

Those businesses with engineers holding the new qualifications shown below can apply for a Full Certificate without the need to apply for an Interim Certificate, provided one or other Certificate is obtained by 4 July 2009.

To apply for full certification businesses will need to provide:

- basic information about the business
- a list of employed engineers holding an appropriate stationary equipment qualification in handling F-gases.

The required qualifications are City & Guilds 2079 categories I-IV or Construction Skills (formerly CITB) Safe Handling of Refrigerants J11-J14.

The business must demonstrate that it employs a sufficient number of in-scope employed engineers to cover the expected volume of in-scope business activity.

- proof that appropriate recovery systems and refrigerant handling procedures are in place and in use.

1.4 Application Process

Online applications and payment can be made on the Refcom website at www.refcom.org.uk.

Application packs, certification fees and scheme information can also be requested or downloaded from the website.

The on-line and paper-based application forms are self-explanatory but further guidance on the application process is available on the Refcom website and from the Refcom Helpdesk on 01768 860409.

On receipt of the completed application and certification fee, Refcom will validate the information provided.

1.5 Outcome of the application

Once the application has been validated and assessed, the Scheme Manager will consider the application and then determine whether the business meets the required standard.

Refcom will notify successful applicants and add new members to the Refcom public listing of certificated businesses. Depending on the type of application, successful applicants will also receive either an Interim or Full Company Certificate as appropriate.

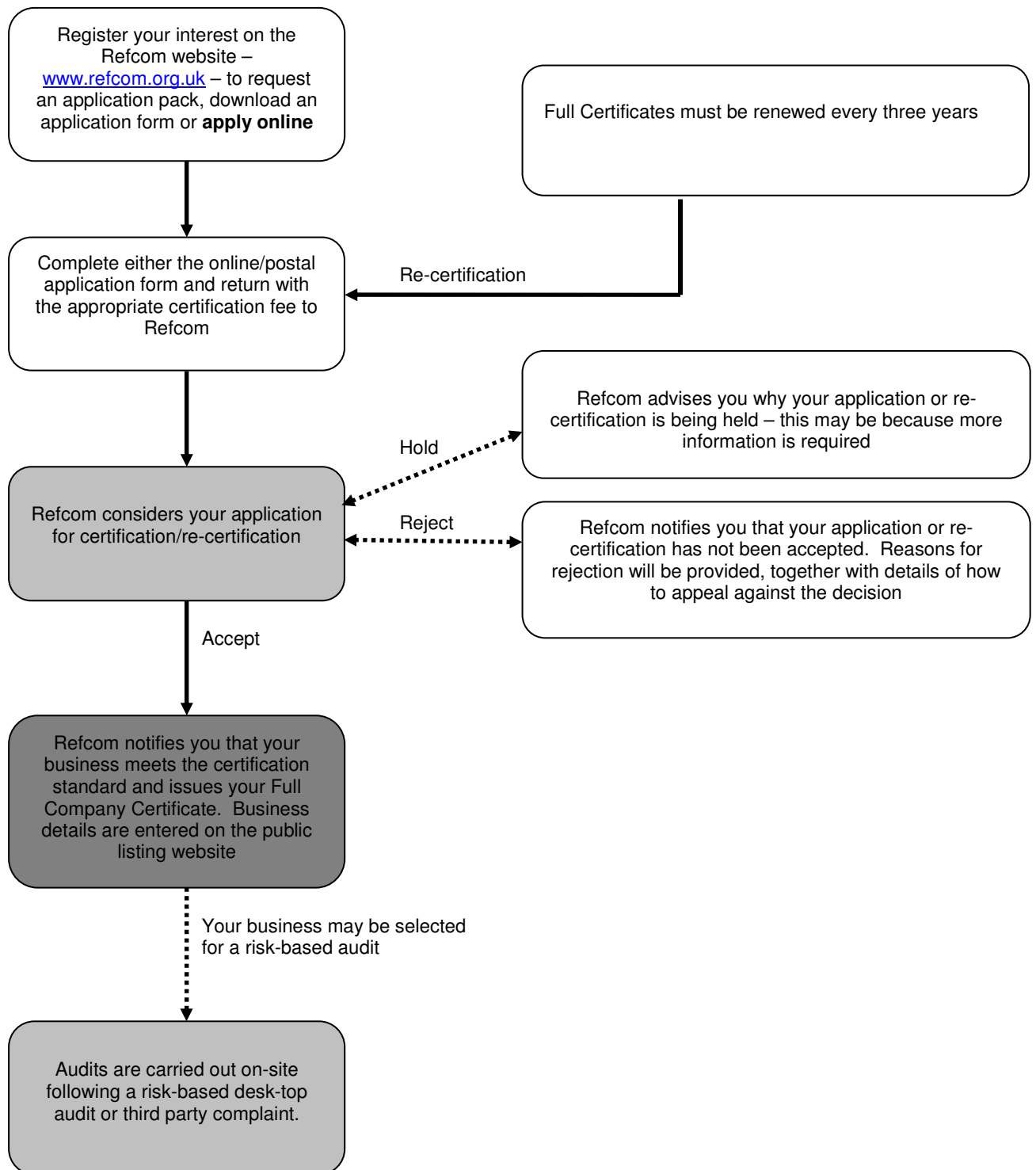
The public listing of certificated businesses can be viewed at www.refcom.org.uk by name, postcode or alphabetic search.

Applicants who are unsuccessful will be notified and given the reason(s) why they have not met the certification standards. They will also be given details of how they can re-apply or appeal against the decision, should they wish to do so.

The flowchart on the following page shows how applications are dealt with and how the scheme operates.

Refcom's Terms of Certification for the scheme contain full and further details of the requirements and arrangements for certification. These can be downloaded from the Refcom website at www.refcom.org.uk.

1.6 Application process and scheme flowchart



2. Ongoing audit of certificated businesses

Businesses that hold a Full Company Certificate may be subject to a risk-based desk-top and/or an on-site audit.

Businesses may also be selected for audit following a third-party complaint.

The purpose of the audit regime is to:

- a) further validate and authenticate the information provided by certificated businesses; and
- b) ensure that the certification standards are maintained.

Refcom shall request, as a minimum, the information specified below in order to verify the accuracy of the information provided by the relevant business.

2.1 Desk-top Audit

Refcom will:

- request information to verify that there are qualified refrigerant engineers employed in sufficient numbers to cover the expected volume of activities referred to in Article 2.2 of Commission Regulation 303/2008 – ie installation, maintenance or servicing of SRAC or heat pump equipment
- check the validity of those qualifications with the relevant awarding body
- request information to verify that the necessary tools and procedures are available to qualified employee(s) engaged in activities for which a Full Company Certificate is issued.

2.2 On-site risk-based or complaint triggered audit

Refcom will:

- Obtain evidence to confirm accuracy of information requested by the desk-top audit.

Refcom will then notify the certificated business of the results of the audit.

Where the business is found to be non-compliant, the business will be advised of any non-conformities and will be given a period of time to carry out and confirm rectification, as set out in the non-compliance section on the following page.

2.3 On-site risk-based audits

Where a business is selected for audit, it will be contacted directly by a Refcom representative who will arrange a time and date for the audit to take place.

In all cases, the auditor will be appropriately qualified.

At the time the appointment is made the business will be asked to arrange access to the relevant site(s).

The duration of the audit and the number of sites to be visited will depend upon the size of the business and the number of refrigerant engineers employed. However, for most businesses, the time required will be between 2 and 4 hours.

Some aspects of the audit may be covered by other certification schemes, to which the certificated business may already be accredited. Any such accreditation will not grant exemption from the provisions of Refcom's certification requirements but the auditor will take such schemes into account when carrying out the audit.

Any non-conformities found during the audit will be required to be dealt with effectively and in a timely manner, as set out in the following section.

For further information or advice and guidance on preparation for audit, contact Refcom on 01768 860409 or visit the Refcom website at www.refcom.org.uk.

2.4 Non-compliance

In the event that Refcom discovers any non-conformities, either at the time an application is verified, or during a subsequent desk-top or on-site audit, the business will be given a period of time to rectify the position so that it can achieve the necessary certification standard.

The time scale and arrangements for this process may vary according to whether the problems are deemed to be minor or major non-conformities.

A major non-conformity is where there is evidence of:

- deliberately misleading or false information being supplied to Refcom;
- a failure to meet the certification standards; or
- a failure to comply with Refcom's Terms of Certification.

In the case of minor non-conformities, ie where one or more unsatisfactory items have been identified that are not likely to affect the validity of the Certification, then the Business will be given a short time to correct them.

In the event of one or more major non-conformities, the business will be given a reasonable period to correct them. Refcom or its appointed auditor, as appropriate, will agree and document the points at issue and agree a timescale for the corrective action to be taken. During this period businesses will maintain their certificated status with Refcom.

Should the non-conformities arising from an on-site audit not be resolved within the agreed period of time to the satisfaction of the certification body's auditor, the matter will be referred to Refcom.

Unresolved non-conformities will be reviewed by the Scheme Manager, who will consider the facts and may suspend or withdraw the certification and inform the Competent Authority of the decision. In this event, the business will be given the reason(s) for the suspension or withdrawal of certification and details of how to appeal against the decision, should it wish to do so.

In order to regain certification with Refcom the business must reapply and pay the appropriate fees.

3. Appeals and complaints procedures

3.1 Appeals

A right of appeal is available when a Business is refused certification or advised that certification has been suspended or withdrawn.

The Scheme Manager will initially obtain information from the parties involved. The appeal is then referred to Refcom's Appeals Committee. The Committee will consider the grounds for the appeal; why the previous decision was made; and any additional information that may since have become available.

The Committee will notify the individual who made the appeal, and the Refcom Certification Ltd Board, of the outcome of its deliberations. Where the appeal is unsuccessful, the individual will be given the reason(s) why the appeal has failed. The individual will also be given details of how to appeal against the decision to an arbitrator should they wish to do so. The arbitrator will be appointed by the Chartered Institute of Arbitrators.

3.2 Complaints

Complaints may be received from any source. These may originate, for example, from members of the public, Trading Standards departments, insurance companies, other certificated businesses, or similar organisations or persons.

The complaint may be against Refcom or one of its certificated businesses. The Scheme Manager will initially investigate the complaint by obtaining comments from all of the parties involved. All complaints are referred to Refcom's Appeals Committee and the Refcom Certification Ltd Board is informed.

The Committee will consider the seriousness of the complaint about the business in question. It will also look at any other information relevant to the complaint that may have become available, including whether there have been previous complaints. The Committee will notify the Refcom Certification Ltd Board of the outcome of its deliberations.

A serious complaint is one where there is evidence of:

- a deliberate disregard of the requirements of Refcom's certification standards
- deliberately misleading or false information being given to Refcom
- a failure to comply with Refcom's Terms of Certification.

If the complaint is about a business and it is upheld, Refcom will notify the certificated business and will try to resolve the problem with the business in an effective and timely manner. Failure to resolve the complaint, particularly if it is a serious complaint, may result in the business's certification being suspended or withdrawn by the Scheme Manager. Should this happen, the individual will be given details of how to re-apply or appeal against the decision, should they wish to do so.

The Refcom Certification Ltd Board will be informed of the Scheme Manager's decision.

If the complaint is about Refcom, and it is upheld, then the Appeals Committee will notify the Refcom Certification Ltd Board of the complaint. It will also recommend the action that is to be taken to recover the situation and to avoid a similar occurrence in the future. The body that made the complaint will be advised of the Appeals Committee's decision and the action being taken.

For further information on rights to and procedures for appeal, contact Refcom on 01768 860409 or visit the Refcom website at www.refcom.org.uk.

Refcom's "Terms of Certification" contain full and further details of the procedures for suspension, withdrawal of registration, and appeals and complaints. These can be downloaded from the Refcom website at www.refcom.org.uk.

Appendix 1

Further information

Websites and other useful contacts

Refcom - www.refcom.org.uk

DEFRA - www.defra.gov.uk

F-Gas Support - www.defra.gov.uk/fgas

BERR - www.berr.gov.uk

ACRIB - www.acrib.org.uk

B&ES - www.b-es.org

There is also a useful list of other links on Refcom's website at www.refcom.org.uk