

RPA 2000

THE COMPETENCE CERTIFICATION SCHEMES

Document G1 RPA 2000 Operating Procedures

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1. Introduction

- 1.1.** RPA 2000, a Company limited by guarantee, was established by four Professional Societies (The Societies), namely: the Society for Radiological Protection (SRP); the Institute of Physics and Engineering in Medicine (IPEM); the Institute of Radiation Protection and the Association of University Radiation Protection Officers (AURPO). Since then the Institute of Radiation Protection has been incorporated into the Society for Radiological Protection.
- 1.2.** The RPA 2000 Competence Certification Schemes currently assess the competence of persons wishing to:
- Act as a Radiation Protection Adviser (RPA) under IRR99.
 - Act as a Radioactive Waste Adviser (RWA) in support of radioactive materials and waste legislation for the protection of the environment.
 - Act as a Laser Protection Adviser (LPA) under the Care Standards Act 2000.
 - Gain an Ionising Radiations Instrumentation Specialist (IRIS) Certificate.

There is provision for other specialist certificates to be developed depending on need. This document sets out the procedures employed by the RPA 2000 Management Board (the Board), the Scheme Administrators and the Assessors.

- 1.3. All documents, or parts of documents, that are relevant to the RPA 2000 Certification Scheme for Radiation Protection Advisers (RPAs), under the Ionising Radiations Regulations 1999 (IRR99), have been recognised by the Health and Safety Executive (HSE) as the basis for RPA 2000's operation as an Assessing Body under IRR99.
- 1.4. All documents, or parts of documents, that are relevant to the RPA 2000 Certification Scheme for Radioactive Waste Advisers (RWA), have been recognised by the Environmental Agencies (EAs) RWA Approval Board as the basis for RPA 2000's operation as an Assessing Body for RWA certification. RPA 2000 will aim to give the Approval Board at least one year's notice, or as long a notice period as possible, of its intention to cease to provide its service for the certification of Radioactive Waste Advisers.

2. Administration and Administration Secretary

- 2.1. Harris Associates is contracted by the Board for all administrative matters related to the assessment process.
- 2.2. The Board has appointed Tessa Harris as Administration Secretary.
- 2.3. Amongst other administrative tasks, the Administration Secretary will:
 - communicate between Applicants, Assessors and the Assessment Secretary;
 - maintain records of Assessors and their Curriculum Vitae;
 - maintain records of each stage in the assessment process for each Application;
 - maintain records of completed Assessments, as described in Records below;
 - maintain up-to-date lists of all certificate holders in each of the certification schemes operated by RPA 2000. These lists will include details of an individual RPA's name and validity of their certificate, including the expiry date;
 - on 1st January, April, July, and October of each year, provide the up-to-date lists of current certificate holders to the RPA 2000 Web Master;
 - prepare certificates;
 - provide a reminder service to all certificate holders to ensure that they are aware of the impending expiry date of their certificate and the actions they need to take to implement the timely renewal of that certificate.
 - as soon as possible after the expiry date, inform certificate holders if their certificate has expired.

3. Assessors

- 3.1. The Board appoints, normally from among the membership of participating societies, a Pool of Assessors to examine applications for certification and renewal of certification. Assessment is by peer review by a selected panel of three RPA 2000 Assessors for initial certification and by two Assessors for renewal. This selection will always be made by RPA 2000, although applicants may draw the attention of RPA 2000 to any conflicts of interest that might be thought to influence the choice of appropriate assessors. Similarly, before accepting a portfolio for assessment, Assessors must inform the Assessment Secretary if they identify any potential conflicts of interest.
- 3.2. Potential Assessors should be recommended to the Board by a Board Member, another

Assessor or someone of standing in one of the constituent societies. They are required to submit a CV to the Board to demonstrate:

- a minimum of 10 years experience in a senior position closely associated with radiation protection such as senior professional Health Physicist in the nuclear industry, senior Medical Physicist or Consultant RPA;
- a position which entails (or has in the past entailed) appraisal and management of the performance of individuals engaged in radiation protection; and
- the holding of a current RPA 2000 certificate in the subject/work area in which they are to become an Assessor.

3.3 When a new certification scheme is introduced, the RPA 2000 Board will temporarily waive the requirement that Assessors must hold a current RPA 2000 certificate in that new subject/work area, provided the Assessor is already an Assessor under an existing RPA2000 scheme and can demonstrate familiarity with the subject matter of the new scheme. As soon as sufficient Assessors have gained the newly introduced certificate, the Board will withdraw this temporary provision.

4. Assessment Secretary

4.1. The Board will appoint an Assessment Secretary, who will be, or will have been a member of the RPA 2000 Pool of Assessors.

4.2. The Assessment Secretary will :

- administer the assessment of applications;
- select a Lead Assessor and two Support Assessors for each initial application for certification, paying due regard to any conflicts of interest that may have been raised;
- select two Assessors for each renewal of certification;
- set up Panels of Enquiry on the instructions of the Board;
- inform the Board of irregularities in the assessment process;
- make an annual report to the Board on the assessment process;
- prepare annual statistics on the certification process;
- monitor the make up of the Pool of Assessors and make appropriate recommendations to the Board.

5. The Scheme Process

5.1. Enquiries

On receipt of an enquiry for certification or renewal of certification, the Administration Secretary will advise the applicant to download the appropriate documents from the RPA 2000 Website. On request, paper copies will be sent.

5.2. Applications for certification

5.2.1. On receipt of the Application Form, the Administration Secretary will:

- record the receipt;
- check the applicant's membership of one of the participating societies against the fee paid;
- check whether the applicant has previously been refused certification or had a

- Certificate suspended or withdrawn, and if so refer to the Assessment Secretary;
- check that a sufficient portfolio of evidence has been received, based on the requirements set out in the Information for Applicants and on the Application Form. If not, return the Application to the Applicant. If in doubt consult the Assessment Secretary;
- acknowledge receipt of the application, issue a receipt for the fee, open and maintain a full record on the Assessment Tracking Database;
- make necessary photocopies of the application form, the summary section of the Portfolio and the contents sheet;
- email the Assessment Secretary with the name and organisation of the applicant and details of the referee if he/she is an Assessor;
- retain the original form and supporting documents and place the other copies with the portfolio.

5.2.2. On receipt of the email, the Assessment Secretary will:

- select, from the Pool of Assessors, a Lead Assessor and two Support Assessors. The Lead Assessor and one of the Support Assessors should normally be from the same work sector as the applicant, but not from the same (or a related) employer; the second Assessor should be from a different work sector to the applicant;
- when appropriate (eg. if experience of an applicant's area of expertise is not available within the Pool), request that an external Assessor be appointed by the Board;
- notify the Administration Secretary of the Assessment Panel selected.

5.2.3. On receipt of the selection of the Assessment Panel the Administration Secretary will:

- contact the Lead Assessor and confirm that he/she is able to carry out the assessment within the required timescale. If not, refer to the Assessment Secretary;
- send the Portfolio and a copy of the Application Form to the Lead Assessor;
- send copies of the Application Form and the Summary and Contents Sections of the Portfolio to the Support Assessors.

5.3. Applications for renewal of certification

5.3.1. On receipt of the Application Form the Administration Secretary will:

- record the receipt;
- check the applicant's membership of one of the participating societies against the fee paid;
- check that the applicant has provided proof of holding an appropriate current certificate of certification;
- check whether the applicant has previously been refused certification or had a Certificate suspended or withdrawn, and if so refer to the Assessment Secretary;
- check that the contents of the evidence provided satisfies the requirements set out in the Information for Applicants and the appropriate RCS. If not, request more information from the Applicant. If in doubt consult the Assessment Secretary;
- acknowledge receipt of the application, issue a receipt for the fee, open and maintain a full record on the Assessment Tracking Database;
- make one copy of the Application Form and one copy of Summary Sheets B4 (Category 1 activities) and B6 (Category 2 activities) from the applicant's RCS;
- email the Assessment Secretary with the name and organisation of the applicant and details of the referee if he/she is an Assessor;
- retain the original form and supporting documents and place the other two copies with the folder of evidence.

5.3.2. On receipt of the email, the Assessment Secretary will:

- select a Lead Assessor and a Support Assessor. Both Assessors should normally be from the same work sector as the applicant, but not from the same (or a related) employer;
- when appropriate (eg. if experience of an applicant's area of expertise is not available within the Pool), request that an external Assessor be appointed by the Board.
- notify the Administration Secretary of the Assessment Panel selected.

5.3.3. On receipt of the names of the Assessment Panel, the Administration Secretary will:

- contact the Lead Assessor and confirm that he/she is able to carry out the Assessment within the required timescale. If not, refer to the Assessment Secretary;
- send the Application Form and Folder of Evidence to the Lead Assessor and a copy of the Application Form and Summary Sheets B4 and B6 to the other Assessor.

5.4. Criteria of Competence

5.4.1. *For initial certification to act as an RPA under IRR99*

The *HSE Criteria of Core Competence* for first time recognition are set out in the current version of the HSE Statement on Radiation Protection Advisers. HSE also publish '*Guidance on the criteria of core competence contained in HSE's Statement on RPAs*'. This guidance includes the *elements of practical competence* that should be required of an RPA.

Assessors must be satisfied that the applicant's Portfolio of Evidence contains sufficient satisfactory evidence to demonstrate that:

- (i) the applicant meets the HSE's Criteria for core competence; and
- (ii) the applicant also meets the HSE's elements of practical competence.

The means for achieving this are detailed in the RPA 2000 Document RPA2 'Instructions for the creation of the portfolio of evidence for RPA certification'.

5.4.2. *For renewal of certification to act as an RPA under IRR99*

Assessors should use the information provided to determine whether the applicant has kept up to date his/her knowledge of radiation protection legislation and developments of radiation protection practice.

To this end, Assessors must be satisfied that the applicant has provided sufficient evidence in support of the requisite number of appropriate 'points' as defined in the RPA 2000 Document RPA3 'Instructions for the Renewal of RPA Certification (RPA-RCS)'. Assistance for both applicant and Assessor is provided in RPA 2000 Guidance Document GD3 'Additional Guidance for Applicants Renewing their RPA Certification'.

5.4.3. *For initial certification to act as an RWA*

The EAs' Criteria of Competence for first time recognition are set out in the most recent version of the 'Environment Agencies Statement and Guidance on Radioactive Waste Advisers'. This includes a syllabus which is based on the basic syllabus for the qualified expert in radiation protection (Basic Safety Standards Directive 96/29/Euratom) with a few additional items from the 'additional material' list as published in EC Communication 98/C133/03. The demonstration of competence depends on a combination of knowledge and

experience. Applicants seeking to gain recognition as an RWA must provide adequate evidence to demonstrate the appropriate level of competence for each topic in the EAs' syllabus. This will consist of knowledge and experience based evidence. The EAs' syllabus specifies those topic areas for which experience must be demonstrated.

Assessors must be satisfied that the applicant's Portfolio of Evidence contains sufficient satisfactory evidence to demonstrate that:

- (i) the applicant meets the EAs' Criteria for knowledge based competence; and
- (ii) the applicant also meets the EAs' Criteria for experienced based competence.

The means for achieving this are detailed in the RPA 2000 Document RWA2 'Instructions for the creation of the portfolio of evidence for RWA certification'.

5.4.4. For renewal of certification to act as an RWA

Assessors should use the information provided to determine whether the applicant has maintained:

- **a clear understanding of the role of an RWA**, which is to advise employers on compliance with environmental legislation;
- **the practical competencies** needed to successfully act in the capacity of a full time or part time RWA;
- **a detailed understanding of UK Environmental Legislation** and any amendments thereto, either direct or via other legislation;
- a general awareness of other **related legislative developments** (e.g. EU Basic Safety Standards and transport legislation); and
- a general awareness of **technological advances** relevant to radiation protection practice and the work of an RWA.

To this end, Assessors must be satisfied that the applicant has provided sufficient evidence in support of the requisite number of appropriate 'points' as defined in the RPA 2000 Document RWA3 'Instructions for the Renewal of RWA Certification (RWA-RCS)'.

5.4.5. For initial certification to act as an LPA

Assessors should use the applicant's portfolio to assess whether the evidence taken from education, training and/or experience, is sufficient to meet the Criteria of Core Competence specified in the RPA 2000 Document LPA2 'Instructions for the creation of the portfolio of evidence for LPA certification'.

To this end, Assessors must be convinced that the applicant has provided sufficient evidence to satisfy at least the requisite number of RPA 2000's practical and other competencies as defined in Document LPA2.

5.4.6. For renewal of certification to act as an LPA

Assessors should use the information provided to determine whether the applicant has kept up to date his/her knowledge of laser protection legislation/guidance and developments in laser protection practice.

To this end, Assessors must be satisfied that the applicant has provided sufficient evidence in support of the requisite number of appropriate 'points' as defined in the RPA 2000 Document LPA3 'Instructions for the Renewal of LPA Certification (LRS)'.

5.4.7. For initial certification to act as an IRIS

Assessors should use the applicant's portfolio to assess whether the evidence taken from education, training and/or experience, is sufficient to meet the Criteria of Core Competence specified in the RPA 2000 Document IRIS2 'Instructions for the creation of the portfolio of evidence for IRIS certification'.

To this end, Assessors must be convinced that the applicant has provided sufficient evidence to satisfy at least the requisite number of RPA 2000's practical and other competencies as defined in Document IRIS2.

5.4.8. For renewal of certification to act as an IRIS

Assessors should use the information provided to determine whether the applicant has kept up to date his/her knowledge and practical expertise of ionising radiations instrumentation.

To this end, Assessors must be satisfied that the applicant has provided sufficient evidence in support of the requisite number of appropriate 'points' as defined in the RPA 2000 Document IRIS3 'Instructions for the Renewal of IRIS Certification (IRIS-RCS)'.

[NOTE – Document IRIS3 is not yet available].

5.4.9. Further Specialist Certificates

Before further specialist certificates are introduced, the Criteria of Competence will be specified in a document giving instructions for the creation of the relevant portfolio. The conditions to be met for renewal of certification will follow and be incorporated into an appropriate renewal of certification scheme.

5.5. The process of assessment

5.5.1. The Lead Assessor will:

- assess the portfolio/renewal of certification material and aim to prepare an assessment report and recommendation;
- where the evidence supplied by the applicant is deemed to be lacking, adopt appropriate means of securing additional evidence, such as:
 - requesting further information from the applicant through the Administration Secretary (see section 5.7 of this document);
 - suggesting a formal interview for borderline cases through the Assessment Secretary;
- if, after receiving additional information, the Lead Assessor has reservations he/she should consult with the Support Assessors and/or the Assessment Secretary. He/she may decide to send the full portfolio to one or both of the Support Assessors for a further opinion(s);
- maintain a record of all communications, interviews, etc.;
- maintain contact with the support Assessors and with the Administration Secretary, usually via emails, in order to reach an unanimous decision about the outcome of the assessment. Complete a pro-forma assessment decision form and pass this to the support Assessors;
- send the assessment report and the record of communications to the Administration Secretary advising whether certification or renewal of certification has been granted or refused;
- aim to regularly inform the Administration Secretary of the status of each

outstanding assessment.

5.5.2. *The Support Assessors will:*

- in the more straightforward situations where the Lead Assessor has been able to reach an unaided decision, compare the information in the Application Form and summary section of the portfolio with the Lead Assessor's report;
- in less straightforward situations, co-operate with the Lead Assessor and other Support Assessor as is necessary to reach a consensus;
- decide whether or not to support the Lead Assessor's assessment and recommendation;
- countersign and return the Lead Assessor's pro-forma assessment decision form, adding comments where appropriate;

5.5.3. *Communication between Assessors*

Whatever the initial mode of communication, all matters of significance to the outcome of an assessment should be in writing, or subsequently confirmed in writing (email may often be most convenient).

5.5.4. *Assessor agreement.*

Assessors must reach agreement for an application to succeed. If in doubt, the Assessment Secretary should be consulted.

5.6. Keeping the Applicant informed.

The Administration Secretary will inform Applicants of any delays and the associated reasons no longer than three months from date of receipt of the application and at monthly intervals thereafter.

5.7. Seeking and receiving further information

NOTE that further guidance on this topic and on the consequences of failing to provide the requested further information can be found in RPA 2000 Guidance Document No.GD3.

5.7.1. The identity of the Assessors will not normally be revealed to an Applicant.

5.7.2. Assessors seeking further information or wishing to put specific questions to an Applicant should normally communicate through the Administration Secretary. Only in exceptional circumstances should communication be made directly from an Assessor to an Applicant. A second request for further information may be acceptable in exceptional circumstances though this is expected to be rare.

5.7.3. Applicants will be given a **due date** by when the further information is required. This will be **two months** from the date of the request to the applicant. If the extra information is not received in the RPA 2000 Administration Office by the due date, the assessment process will cease and the Administration Secretary will return the Application Form and Portfolio/RCS paperwork to the Applicant, explaining what has happened. The fee will be forfeited. An Applicant still wishing to pursue certification/renewal must pay a further fee and re-submit a full portfolio/updated RCS paperwork, depending on the circumstances.

5.7.4. The Assessment Secretary may agree to extend the date by which the further information is required. For this to be agreed, the applicant must have provided a timely and reasonable explanation to the Administration Secretary describing acceptable extenuating

circumstances that have delayed provision of the information. Such explanations must normally be received by the Administration Secretary at least two weeks before the due date for receipt of the information and will not normally be accepted after this due date has passed. Applicants are expected to give priority to the provision of this further information and the Assessment Secretary will not normally accept the 'simple' explanation that workload prevented a timely response.

5.7.5. Timely provision of the further information is entirely the responsibility of the Applicant and the Board will not be responsible for providing a further reminder. At the time of any request for further information, the Applicant's attention will be drawn to the content and potential consequences of paragraphs 5.7.3 to 5.7.5 of these Operating Procedures and the associated Guidance.

5.8. Timescales for processing applications for certification and renewal of certification

5.8.1. RPA 2000 aims to process applications for certification within three months of receipt, but in any case within six months, unless further information is required from the applicant. Should such further information be required, the timescale for completion of the assessment will be extended by the number of days taken to receive this information.

5.8.2. RPA 2000 aims to process applications for renewal of certification within three months of receipt of the application. Provided the application is received more than three months prior to expiry of the current Certificate, RPA 2000 is able to extend the validity of the current Certificate by up to six months in special circumstances.

5.9. Failure to demonstrate competence

If the Assessors conclude that an Applicant has failed to demonstrate competence, the Administration Secretary will prepare a letter to the Applicant based on the Assessors' report. The letter will set out the reasons for the refusal to grant certification or renewal of certification and will inform the Applicant of the right of Appeal to the RPA 2000 Board and of the timescale for such an Appeal. In the case of failure to gain renewal of certification, the Administration Secretary will advise the unsuccessful applicant of the need to inform all relevant employers that he/she no longer holds a valid certificate of competence. The letter will stress that the applicant is no longer able to satisfy the legal requirements associated with RPA or RWA appointments.

5.10. Successful applications for certification

5.10.1. The Lead Assessor will notify the Administration Secretary of a decision to grant certification.

5.10.2. As soon practicable, the Administration Secretary will notify the Applicant by email or telephone that the application has been successful.

5.10.3. The Administration Secretary will prepare the Certificate with the full name of the Applicant and the date from which it is valid. The Certificate (See Appendix 2) will bear the signatures of both the Assessment Secretary and the Chairman of RPA 2000 Board, as authorised by the Board.

5.11. Applications for renewal of certification

NOTE that further guidance on this topic and on the consequences of the failure of applicants to meet timescales for the renewal of certification can be found in RPA 2000 Guidance Document No.GD2.

5.11.1. Applicants are clearly responsible for the timing of their renewal applications but, to assist them, the Administration Secretary will:

- aim to notify Certificate holders about six months before the date of expiry of Certificates and advise them to visit the RPA 2000 Website for the latest information on renewal of certification;
- notify Certificate holders of the expiry of certification soon after the expiry date.

5.11.2. Provided that an application is received no more than six months nor less than three months before the date of expiry of the current Certificate, the renewed Certificate will be dated so as to be contiguous with the expiring Certificate.

5.11.3. Where an application is received more than six months prior to the date of expiry of the current Certificate, the renewed Certificate will commence at the date on which it is signed, unless otherwise authorised by the Assessment Secretary.

5.11.4. In both of the above cases the Administration Secretary, in consultation with the Assessment Secretary, can extend the validity of the current Certificate by up to six months in extenuating circumstances.

5.11.5. Applications for renewal of certification received less than three months prior to expiry of the Certificate cannot normally have their validity extended, although it may be possible to take special circumstances into account. In the case of late applications RPA 2000 will endeavour to complete the Assessment prior to the expiry date, but without any guarantee.

5.11.6. In the event of there being a gap between the expiry date and the date of application for renewal, the Assessment Secretary will reach a judgment on whether the Applicant can be accepted for renewal of certification or whether the Applicant needs to apply for a fresh Certificate. This judgement will be based on factors such as the duration of the gap and the nature of the radiation protection work being done prior to the gap.

5.11.7. Where a person participating in any 5-year RPA 2000 renewal of certification scheme (RCS) is ***absent from work*** for longer than 6 months but not longer than 30 months, and feels unable to complete their RCS application within the original timescale, it is open to that person to seek to extend their period of participation in that RCS. ***By written application to and acceptance by RPA 2000***, that person may extend their original period of participation in the RCS by 3 months for each completed period of 3 months for which they had been absent from work, up to a maximum extension of 30 months. RPA 2000 would extend the validity of their current certificate to allow them to continue to operate during the full period of this extension. All other conditions of an RCS application would remain unchanged, for example the consequences of failing to meet timescales as described in Guidance Documents GD2 and GD3.

5.12. Development of further Specialist Certificates

5.12.1. Policy

The policy of RPA 2000 is to support the introduction of specialist certificates provided that:

- There is justifiable and demonstrable demand from the membership of the Constituent Societies for any proposed certificate.
- Interested and suitably experienced members, normally from the Constituent Societies, are prepared to form and maintain a Working Group (WG) to:
 - undertake the development of appropriate standards and to identify a sufficient number of potential Assessors to make the introduction of the certificate a viable option; and
 - provide the Board of RPA 2000, for the lifetime of the associated Specialist Certificate, with ongoing support and effort in respect of the necessary scientific and technical competence associated with maintenance of the Specialist Certificate.

5.12.2. Specialist Certificate protocol

To implement this policy, the following protocol will apply:

- Any group of members from the Constituent Societies wishing to establish a Specialist Certificate will have to complete RPA 2000 Document G3 : 'Protocol for the introduction and maintenance of Specialist Certificates of Competence ' and submit this to the Board of RPA 2000.
- On the basis of the information provided in the proposal, the Board will decide whether or not to support development and potential introduction of the Specialist Certificate.

6. Monitoring the Process

- 6.1. The Administration Secretary will create and maintain a record on the Assessment Tracking Database for each application.
- 6.2. The Administration Secretary will prepare a regular report for the Assessment Secretary giving relevant details about the number of outstanding Assessments with each Assessor.
- 6.3. The Assessment Secretary will advise the Board if significant problems are encountered with the assessment process.

7. Auditing Procedures

- 7.1 The Board will appoint an **Audit Secretary whose duties will include:**
 - taking prime responsibility for implementing the RPA2000 audit procedures;
 - advising the Board on all matters associated with the audit procedures; and
 - in particular, making recommendations to the Board when the need for changes to the audit procedures have been identified.
- 7.2 At the beginning of January each year, the **Audit Secretary** will randomly identify, for annual audit, at least four assessments for certification (two RPA, two RWA) and two assessments for renewal of certification (RPA), which have been completed in the previous 12 months [January to December].
- 7.3 The Chairman of the Board will select at least two appropriate people to conduct the annual audit and each will undertake the audit of three assessments (two Initials and one renewal).

- 7.4 The Auditors will complete an ‘**Audit Assessment Report**’ for each assessment by the end of March each year. In particular this Report will check:
- that the administrative procedures were carried out correctly;
 - that the Lead Assessor examined the application in accordance with the Operating Procedures;
 - that the involvement of the Support Assessor(s) was appropriate;
 - that the assessment decision was correctly based on unanimity.
- 7.5 The Audit Secretary will compile for the Management Board an Annual Audit Report summarising the results of the Auditors findings and recommending to the Board potential actions.
- 7.6 The Board will review the Audit Assessment Reports and the Annual Audit Report, within a specified timescale, take necessary actions arising out of the audit process.
- 7.7 On an annual basis the Assessment Secretary, in consultation with the Audit and Administration Secretaries, will evaluate the data from the ‘**Assessment Tracking Database**’ to provide statistics on the time intervals associated with the completion of assessments, identifying those parts of the assessment process that appeared to create undue delays. This information will be used to create an ‘**Assessment Performance Report**’ that will be sent to the Annual General Meeting of the RPA 2000 Board. The Board will review the Report and take any necessary actions to improve overall performance.

8. RPA 2000 Code of Technical Conduct

8.1 Introduction

A condition of being awarded and holding a Certificate of Competence, for any of the RPA 2000 certification schemes, is that the holder will observe each of the requirements laid down in the RPA 2000 Code of Technical Conduct (CoTC). By accepting the award of a certificate, the holder acknowledges the right of RPA 2000 to:

- investigate any complaint questioning the holder’s technical competence to hold a specific certificate; and
- suspend or withdraw that certificate, if the investigation concludes this to be the most appropriate action.

8.2 The Code of Technical Conduct (CoTC)

The holder of a Certificate of Competence for any RPA 2000 certification scheme will:

1. Maintain an appropriate level of knowledge and workplace competence, as applicable to the discipline of that certificate.
2. Provide sound and unambiguous technical advice that meets the current legislative standards associated with that certificate and is fully in accordance with established principles of good radiation protection practice.
3. Maintain up-to-date personal knowledge and awareness of advances in the established principles of good radiation protection practice.
4. Maintain up-to-date, detailed knowledge of all legislation that is relevant to the discipline of that certificate including, as far as is practicable, awareness of impending changes to that legislation.

5. Never provide advice in any area of expertise or competence that can reasonably be regarded as being beyond the holder's working experience or ability.
6. Never provide or attempt to provide advice related to that Certificate of Competence unless the Certificate has current validity.
7. Co-operate, so far as is practicable, with the RPA 2000 Board should the need arise for the Board to investigate a complaint questioning the holder's technical competence to hold the certificate.

It should be noted that this CoTC relates only to technical competence. It makes no mention of the certificate holder's standards of professional conduct, which are beyond the remit of RPA 2000. It is suggested that queries concerned with such matters should be referred to the certificate holder's Professional Body.

8.3 Breaches of the CoTC

If a holder of an RPA 2000 Certificate of Competence is deemed to have breached the conditions of the CoTC, it will be the responsibility of the RPA 2000 Board to determine whether any sanction(s) are appropriate. The severity of such sanctions would be determined by the nature of the breach and may include one or a combination of the following:

- (a) A **written warning** but no further action.
- (b) A **requirement to improve** specified aspects of the certificate holder's performance. The specified improvement actions would need to be completed, to the satisfaction of the Board, within a stated time-scale.

(c) **Suspension** of the certificate, which would normally be imposed if:

- **either**, the specified improvement actions, in (b) above, were not satisfactorily completed within the stated time-scale;
- **or**, the Board deemed that the initial breach had been sufficiently serious to warrant immediate suspension. In this case specified improvement actions would be imposed on the holder in order to avoid eventual withdrawal of the certificate.

In the event of suspension of a certificate, the holder would normally be given a mutually acceptable final deadline by which time relevant improvement actions must be completed, to the satisfaction of the Board.

(d) **Withdrawal** of the certificate which would normally be imposed if:

- **either**, the holder failed meet the mutually acceptable final deadline specified in (c) above. Such circumstances would result in immediate withdrawal of the certificate with no right of appeal, other than on the grounds of extreme extenuating circumstances, normally of a medical nature;
- **or**, the Board deemed that the initial breach had been sufficiently serious to warrant immediate withdrawal.

(e) In the event of **Withdrawal** of a certificate, the holder would be allowed one month's grace within which to appeal against the intended withdrawal. In the event of an appeal, the certificate would remain valid until the outcome of the appeal was determined.

In the event of a certificate being withdrawn the previous holder will be informed by the Board of the time that must elapse before a further application for certification can be made. Any such further application would have to be as for an initial application (ie. involving a full portfolio of evidence). In the case of either suspension or withdrawal of a certificate, the Administration Secretary will advise the previous holder of the need to inform all relevant employers that he/she no longer holds a valid certificate of competence. The letter will stress that the applicant is no longer able to satisfy the legal requirements associated with RPA or RWA appointments.

8.4 Interim arrangements

With effect from 1 January 2013, all applicants for RPA 2000 Certification or Renewal of Certification will be required to formally accept the conditions of this Section of these Operating Procedures and it will take 5 years before all certificate holders done this. During this five year period any complaint regarding the competence of a certificate holder will be judged against the standards implied by Sections 8.1, 8.2 and 8.3 above.

9. Complaints procedures regarding competence of certificate holders

- 9.1 The RPA 2000 Board has no formal investigatory powers that would enable it to seek out information from workplace or other situations. Consequently it is only able to conduct investigations on the basis of co-operation from persons or organisations that make information freely and attributably available to it.
- 9.2 It follows that the RPA 2000 Board is unable to take any action if it receives un-attributable information questioning the competence of a current holder of an RPA 2000 Certificate of Competence. In such situations the available information will be passed to the appropriate Statutory Body, namely the Health and Safety Executive for RPA certification and the UK Environment Agencies for RWA certification.
- 9.3 However, any complaint questioning the competence of a current holder of an RPA 2000 Certificate of Competence that is brought formally, in writing, to the attention of RPA 2000 Board will be investigated. The Board will pass all the relevant documents to the Assessment Secretary with an instruction to set up a Panel of Enquiry (PoE) that will include at least three appropriate Assessors. Unless otherwise modified by the Board, the bulleted actions in Section 9.4 will provide the Terms of Reference for the PoE.
- 9.4 The PoE's actions will include:
- the PoE will make an initial evaluation of the available information. If the complaint does not appear to the PoE to warrant further action, the case may be dismissed without informing the certificate holder concerned. The complainant will be informed that the POE does not consider that the complaint can be pursued unless more relevant evidence can be supplied;
 - if the PoE's initial evaluation concludes that the complaint should be fully investigated, the Board will inform the Certificate holder, through the Administration Secretary, of the nature of the complaint and of its intention to set up an enquiry into the holder's continuing competence to hold a Certificate;
 - the PoE will send the Certificate holder written particulars of the complaint and an invitation to send, within a stated time-scale, a written response and observations to the PoE. The holder will be informed that he/she is not obliged to make any response but that, in the absence of a response, the investigation will still proceed;
 - on receiving the Certificate holder's response and observations, the PoE may dismiss the case if it is satisfied that the allegation is either unfounded or of such a trivial nature that no action is required;
 - the PoE may, at its discretion and as appropriate to the nature of the complaint, seek assistance from specialist advisers;
 - the PoE will obtain relevant information including, where appropriate, interviewing the parties involved. Any information that is received will be made available to those parties;

- the PoE will recommend the appropriate action and inform the Assessment Secretary, who will advise the Board of their recommendation.
- 9.5 The Board will decide the outcome of the Enquiry and the Assessment Secretary will inform the Certificate holder, through the Administration Secretary, of that outcome. Where the enquiry concludes that the Certificate should be withdrawn, RPA 2000 will give the holder one month's notice of withdrawal, during which time an Appeal can be made.
- 9.6 In the event of an Appeal, the Board will appoint an Appeal Panel consisting of an independent chairman and two Assessors, not previously associated with the Appellant. Unless otherwise modified by the Board, the bulleted actions in Section 9.6 will provide the Terms of Reference for the Appeal Panel.
- 9.7 The Appeal Panel will:
- consider the statement from the Appellant setting out the grounds for the appeal;
 - consider all available information from the PoE;
 - call for such additional information as it might consider necessary to clarify the previously available material, but not seek or accept additional evidence that effectively augments the original complaint;
 - produce an Appeal Report with recommendations to the Board.
- 9.8 The Board will determine the outcome of the Appeal and the Assessment Secretary will inform the Appellant through the Administration Secretary. The Board's decision is final.
- 9.9 However, in the case of an appeal concerning RPA Certification (under IRR99), should the Appellant not be prepared to accept the Board's decision, the matter can be referred to the Health and Safety Executive (HSE) for adjudication in which case the Board will be bound by the HSE's decision.
- 9.10 All the procedures associated with complaints regarding the competence of Certificate holders will be dealt with as a matter of urgency, but target timescales cannot be set because of the inherent variability in the content of each complaint. However, the RPA 2000 Board will always maintain a watching brief over the progress of any complaint and, on completion, will review the total time taken to reach a conclusion.

10. Appeals procedures regarding certification and renewal of certification

- 10.1 Applicants who are informed that they have failed to demonstrate competence for initial certification or renewal of certification have the right of appeal to the Board within one month of being notified by RPA 2000.
- 10.2 Appeals shall be accompanied by a statement from the appellant setting out the grounds for the Appeal.
- 10.3 All Appeals will be treated as matters of urgency, with an aim of completion within three months. In the event of an Appeal the Board will appoint an Appeal Panel consisting of a chairman and two Assessors, not previously associated with the appellant. Unless otherwise modified by the Board, the bulleted actions in Section 10.4 will provide the Terms of Reference for the Appeal Panel.
- 10.4 The Appeal Panel will:

- consider the statement from the appellant setting out the grounds for the appeal;
- consider all available material that was available to the original Assessment Panel;
- call for such additional information as is considered necessary to clarify the previously available material, but not seek or accept additional evidence that effectively augments the original application;
- produce an Appeal Report with recommendations to the Board.

10.5 At the earliest opportunity, the Board will determine the outcome of the Appeal and the Assessment Secretary will inform the appellant through the Administration Secretary. The Board's decision is final.

11. Lists of Certificate Holders

The Administration Secretary will maintain up-to-date lists of all holders of Certificates under each of the certification schemes operated by RPA2000, comprising their names and the date of issue and expiry of their current Certificate. In the case of Certificated LPAs, the list will include the work sectors for which their Certificate is applicable. The Administration Secretary will supply enquirers with this list and, on 1st January, April, July and October of each year, will update the RPA 2000 website with the current lists.

12. Records

12.1 The Administration Secretary will maintain a database of all holders of Certificates under each of the certification schemes operated by RPA2000, to include the following information:

- title, name and address;
- telephone and email address;
- employment at date of award or renewal;
- dates of first award and validity of current Certificate;
- whether the holder also holds a Certificate in specialist areas;
- membership of Professional Societies, etc.

12.2 The following records will be retained by the Administration Secretary for seven years:

- application forms;
- all portfolios and supporting documents referred to in the application form;
- application forms;
- assessment reports, including the records of communications, interviews, etc.;
- correspondence with the Applicant;
- reports of any Panel of Enquiry or Appeal Panel, together with any relevant documents relating to the Enquiry or the Appeal.

13. Reporting to HSE and to the Societies

13.1 On an annual basis, the Board will report to HSE and to the EAs on the relevant certification scheme and provide them with statistics relating to the immediately preceding calendar year, as follows:

- the number of first Certificates issued to successful Applicants;
 - the number of unsuccessful applications for first Certification;
 - the number of Certificates that were renewed;
 - the number of unsuccessful applications for renewal of Certification;
 - the number of Certificates that expired and for which no renewal application was received;
 - the number of Certificates withdrawn;
 - the number of Appeals processed;
 - the number of applications and Appeals outstanding at the end of the reporting period.
- 13.2 The Board will report to HSE and the EAs at any time if, in its opinion, any significant problems appear to have arisen in the assessment processes or procedures associated with RPA or RWA certification, as appropriate.
- 13.3 The Board will consult with HSE and with the EAs when any material changes are proposed to relevant RPA 2000 Documents, to determine whether the proposed changes are relevant to RPA2000's recognition as an Assessing Body.
- 13.4 The Administration Secretary will present to the Board similar statistics to those listed in section 13.1 in respect of each of the certification schemes operated by RPA2000.
- 13.5 On an annual basis, the Board will report to the Societies on the performance of the RPA 2000 Competence Certification Schemes.

14. Fees

- 14.1 Fees will be reviewed at least annually by the RPA 2000 Board and are available:
- in RPA 2000 Document G2 *'Information for Applicants seeking Certification or Renewal of Certification under any RPA 2000 Competence Certification Scheme'*.
 - On the RPA 2000 website at 'www.rpa2000.org.uk'.
- 14.2 Fees for non-Members of the Societies will generally be at least twice those for Members.
- 14.3 People who are applying for more than one Certificate must pay the full fee for each.

Dr David Sutton
 Chairman, RPA 2000
 31 December 2012

Appendix 1. Correspondence Examples

A1.1 Notification of forthcoming renewal of certification.

The following letter is emailed no later than six months prior to the expiry of a current Certificate.

Dear

Certification of Competence to be

Your current Certificate expires on . To renew your certification please visit the RPA 2000 Website for the latest information on renewal of certification. Paper copies of the documents can be provided on request to the RPA 2000 Administration Office. Holders of RPA and RWA certificates should note the legal requirement that, to act as an RPA or an RWA, you **must hold** the relevant valid Certificate of Competence from a recognised Assessing Body.

To allow time for processing your application, it must be received by RPA 2000 **not less than three months** before the expiry date stated above, otherwise we cannot guarantee that your certification will be renewed before expiry of your current Certificate. If your application is received between six months and three months before the expiry of the existing Certificate, the renewed Certificate will be dated so as to be contiguous with the expiring Certificate.

Your attention is drawn to:

- Section 5.11 of RPA 2000 Document G1 : ***'RPA 2000 Operating Procedures'***, which describes the process for renewal of certification. Also to:
- RPA 2000 Guidance Document GD2 : ***'Consequences of the failure of applicants to meet timescales for the renewal of certification'***. Please note that these consequences can prove to be very inconvenient,

Your application must be accompanied by the appropriate fee which can be found on the RPA 2000 website [www.rpa2000.org.uk]. Should you not intend to renew, please advise me as soon as you are able.

Please note that ***no further reminders*** will be issued prior to the expiry of your current Certificate.

Yours sincerely

A1.2 Letter notifying that a Certificate has expired.

The following letter is emailed as soon as possible following the expiry date of a Certificate for which no renewal application has been received.

Dear

Certification of Competence to be

Your Certificate of Competence, as granted by this Board, expired onand must no longer be used by you as evidence of competence.

Holders of RPA and RWA certificates should note that they can no longer legally act as an RPA or RWA because they no longer hold a valid Certificate of Competence issued by recognised Assessing Body.

Should extenuating circumstances have prevented you from completing the timely renewal of your certification, your attention is drawn to RPA 2000 Guidance Document GD2 : ***‘Consequences of the failure of applicants to meet timescales for the renewal of certification’***. This provides guidance on the actions that are open to you at this time and can be found on the RPA 2000 website [www.rpa2000.org.uk].

Yours sincerely

