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CP 23B ISSUE 3

BINDT RTPO OPERATIONS LEADING TO THE AWARD OF PED APPROVALS UNDER CEN/TR 15589 ROUTE B

1. INTRODUCTION

The British Institute of NDT seeks to establish Memoranda of Understanding (MoU) with Personnel Certification Bodies (PCB) that will facilitate the issue of an attestation of approval in accordance with CEN TR 15589 route B in conformance with the Pressure Equipment Directive 2014/68/EU.

Note: Under TR 15589 Route B, an individual holds an EN ISO 9712 or ISO 9712 certificate in a relevant sector issued by a certification body which is not a RTPO, but which has a formal contractual arrangement with a RTPO to carry out assessments as a sub-contractor. In this case the individual may be approved by the above mentioned RTPO upon receipt of satisfactory documented evidence of qualification and certification provided by the certification body concerned.

2. SCOPE

This document details the criteria and arrangements for the authorisation of NDT Personnel Certification Bodies complying with defined standard(s) from those under references to conduct qualification examinations and issue certificates leading to the award of BINDT PED approval to named personnel that have been assessed and certified by specified PCB.

3. REFERENCES

- a) Directive 2014/68/EU, Annex 1, section 3.1.3.
- b) CEN/TR 15589 Code of practice for the approval of NDT personnel by recognised third party organisations under the provisions of Directive 2014/68/EU
- c) EN ISO 17024 General criteria for certification bodies operating certification of personnel.
- d) ISO 9712 Non-destructive testing - Qualification and certification of personnel
- e) CP9 BINDT Requirements for Authorised Qualifying Bodies (AQB)
- f) PED/15 EN ISO 9712 qualification criteria

4. TERMS & DEFINITIONS

- a) The British Institute of NDT (BINDT)

Organisation, notified to the European Commission by the United Kingdom Accreditation Service (UKAS) as a Recognised Third Party Organisation.

- b) Recognised Third Party Organisation (RTPO)

Body recognised by a member state of the European Union or EFTA countries for the purposes of the tasks referred to in Directive 2014/68/EU, Article 24, and in Annex 1, section 3.1.3, namely the

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'approval' of NDT personnel to test permanent joints for pressure equipment in categories III and IV, and whose recognition has been notified to the European Commission or EFTA countries and the other Member States.

c) Approval of NDT personnel

Procedure used to demonstrate the competence of an individual to carry out specific non-destructive tests of permanent joints for pressure equipment in categories III and IV (see Directive 2014/68/EU Annex 1, section 3.1.3).

d) Approval attestation

Documented statement issued by an RTPO that a specified individual is approved.

e) Qualification

Demonstration of physical attributes, knowledge, skill, training and experience required to properly perform NDT tasks

f) Certification

Procedure used by the certification body to confirm that the qualification requirements for a method, level and sector have been fulfilled, leading to the issuing of a certificate.

g) Relevant sector

Any product or industrial sector covering permanent joints to pressure equipment as defined in EN ISO 9712 that includes testing permanent joints, such as 'Welded Products', 'Metal Manufacturing' or 'Pre and In-service testing of equipment, plant and structures particular section of industry or technology where specialized NDT practices are used, requiring specific product-related knowledge, skill, equipment or training

h) Permanent joints

Joints which cannot be disconnected except by destructive methods e.g. made by fusion welding, brazing, braze welding expansion etc.

5. REQUIREMENTS FOR PCB

a) Accreditation

- i) The PCB will be accredited by an IAF member body as complying with EN ISO/IEC 17024.
- ii) If an organisation seeking to become a PCB does not hold such accreditation, BINDT will conduct an assessment for compliance with CP9 clauses 4.1 to 4.4 inclusive, and 4.9 to 4.13 inclusive (see Annex A). Where applicable, BINDT will charge for assessment and surveillance of the activities of the PCB, including its examination centres. Details of audit fees are given in PCN document PSL/35.

b) Conformance

- i) The PCB's qualification examinations shall be in conformance with EN ISO 9712 (as described in BINDT document PED/15).
- ii) BINDT shall be informed of any non-compliance and corrective action, and any change in infrastructure, human or other resource that may affect the ability of the PCB to comply with the requirements of this specification.
- iii) All instances of non-compliance with requirements shall be recorded and brought to the attention of BINDT or its appointed assessors

c) Resources

- i) A PCB that seeks to enter into an MoU with BINDT in order to provide a route for PED approval by BINDT of its certified personnel shall satisfy the requirements of CP9 clause 3 and clauses 4.5 to 4.8 inclusive (see Annex A).

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6. CONTRACTUAL ARRANGEMENTS

Specific contractual arrangements will be agreed between the PCB and BINDT, and these shall be detailed in a formal MoU (a model MoU is provided at annex B) signed by senior management representing each signatory.

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ANNEX A - CHECKLIST FOR BINDT USE WHEN AUDITING PCB

CP9 clause 3: applicable to unaccredited PCB

CP9 clauses 4.1 to 4.4 inclusive: applicable to unaccredited PCB

CP9 clauses 4.5 to 4.8 inclusive. applicable to all PCB

CP9 clauses 4.9 to 4.13 inclusive: applicable to unaccredited PCB

CP9 CLAUSE	CONFORMITY CONFIRMED	ASSESSOR REMARKS
3.0 examination resources		
3.1 staff		
	PCB shall nominate an individual who shall be the primary contact between the PCB and BINDT.	
	Staff involved in any aspect of the administration or conduct of qualification examinations shall be impartial with respect to candidates, and shall be appropriately trained and qualified for their functions within the organisation. Records of training and qualifications shall be made available to BINDT appointed assessors at initial and surveillance audits.	
	Qualification examinations shall be conducted only by those personnel named in the PCB quality system as examiners. A list of examiners and their qualifications shall be provided to BINDT and maintained up to date.	
	PCB shall not directly involve in qualification examinations sub-contract examiners or invigilators, or any other sub-contract personnel, if their other employment is such as to threaten the impartiality of the examination process.	
	Examination staff shall be required to declare any interest in any candidate in whose examination they are involved in any capacity.	
3.2 premises		
	All examination facilities shall comply with all relevant statutory health and safety legislation requirements applicable in the country of operations. There must be a gap of not less than 1.5 metres between candidates, measured between adjacent shoulders during written examinations.	
	Where premises are shared between training and examination, there shall be no joint usage of the facilities, i.e. examinations shall not take place whilst the facilities are being used for training or vice versa.	
	Where the PCB offers qualification examinations at one or more remote examination centres on a permanent or frequent basis, there shall be a documented procedure covering the conduct of examinations at each examination centre. This procedure will address all of the requirements contained within this document and will be subject to audit on site at the discretion of BINDT.	

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CP9 CLAUSE	CONFORMITY CONFIRMED	ASSESSOR REMARKS
3.3 written examinations		
	All examination questions shall be validated, and specific examination questions shall be relevant to the sector concerned (covering the NDT of permanent joints where BINDT PED approvals are to be awarded)	
	Examination papers shall be fair, valid and reliable, and the PCB shall be able to demonstrate how this is assured.	
3.4 practical examinations		
	Examination specimens shall meet the relevant specification (where one exists) before use in qualification examinations	
	No specimens which have been used for training purposes during the preceding twelve months shall be utilised within qualification examinations.	
	Each practical specimen shall be uniquely identified by an appropriate permanent marking to ensure that it is completely traceable. Where practicable, such marking shall be concealed from the candidate whilst the specimen is being used for examination.	
	There shall be a master report of flaws in each specimen. The master report, which shall be based only on the inspection or test method and the particular technique to be applied to the specimen by examination candidates, shall be reviewed periodically by an experienced examiner.	
3.5 test equipment		
	The PCB shall hold sufficient relevant test and/or inspection equipment to enable the conduct of practical qualification examinations for a stated number of candidates at any one practical examination sitting. Test equipment shall be relevant to the NDT of permanent joints where BINDT PED approvals are to be awarded.	
	The PCB shall, as far as practicable, maintain all such equipment in a serviceable condition and provide for its calibration, maintenance and overhaul as necessary.	
3.6 consumables		
	The PCB shall ensure an adequate supply of consumable materials relevant to the NDT of permanent joints where BINDT PED approvals are to be awarded.	
	Maintenance of capability for processes involving consumable materials is to be covered by a process control procedure.	
3.7 security		

CP9 CLAUSE	CONFORMITY CONFIRMED	ASSESSOR REMARKS
	Only authorised personnel from the PCB and BINDT representatives authorised in writing by BINDT shall have access to examination material and records.	
	Secure lockable storage facilities shall be provided for all examination material including questions, answers, specimens and techniques. These must be located in an area to which candidates do not have unsupervised access. A secure facility for the retention of candidates' records and results shall also be provided.	
	Where examination material is stored at a location not under the constant supervision of PCB staff, e.g., at a site remote from any permanently established and staffed examination centre, the PCB shall have measures in place to safeguard the security and confidentiality of such material. BINDT reserves the right to audit such storage facilities.	
4.0 quality management systems		
4.1 general		
	The PCB shall have controlled quality management system documentation detailing the scope of examinations, and applicable management and staff structures, together with documentation detailing its facilities, equipment, specimens, control arrangements and procedures, which shall be shown to comply fully with these requirements and be adequate to maintain a consistent standard of qualification examinations.	
	The documented quality system shall include a statement of the PCB's safety policy and shall also include terms of reference for staff	
4.2 management review		
	The PCB is required to document and implement a procedure for a management review, conducted at least annually, covering all aspects of its quality system to ensure continuing compliance with these requirements.	
	The agenda for the management review meeting shall include all inputs and outputs required by ISO 9001:2008, and the review meeting shall be recorded in minutes - with actions and timescales for implementation allocated where appropriate	
4.3 quality system		
	The PCB shall devise and maintain a fully documented quality system, including operating procedures, covering all aspects of the organisation and control of qualification examinations.	

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CP9 CLAUSE	CONFORMITY CONFIRMED	ASSESSOR REMARKS
	The intent of the quality system shall be to ensure the effective control of, and consistency within, the examinations where BINDT PED approvals are to be awarded.	
4.4 document and data control		
	The PCB shall establish and maintain a procedure to control all documents essential to the provision of qualification examinations leading to the award of BINDT PED approvals.	
4.5 candidate eligibility and identification		
	The PCB shall take effective steps to confirm the identification of all candidates for qualification examinations leading to the award of BINDT PED approvals.	
	The AQB will have a documented procedure for ensuring that candidates satisfy all requirements, particularly in terms of examination eligibility and identification, which includes a percentage verification of experience and supervision information provided by the candidate.	
	For each candidate applying for qualification examinations leading to the award of BINDT PED approvals, the PCB shall have records comprising completed applications with verifiable evidence of satisfactory vision, training and experience satisfying the applicable standard.	
4.6 conduct of exams		
	The PCB shall have in place an operating procedure which ensures that candidates for qualification examinations leading to the award of BINDT PED approvals are closely supervised by a suitably qualified and authorised examiner or invigilator who will ensure that no candidate is permitted an unfair advantage or to collude with other candidates. During the theory papers an Invigilator or Examiner must be present at all times, and must closely supervise during the practical assessment.	
	There shall be a documented procedure which ensures that all candidates are adequately prepared on the day of the examination. This will cover, as a minimum, provision of correct examination papers, codes and standards (relevant to NDT or permanent joints for qualification examinations leading to the award of BINDT PED approvals), examination equipment and materials.	
4.7 consistency of exams		



CP9 CLAUSE	CONFORMITY CONFIRMED	ASSESSOR REMARKS
	The examination system is to be defined by written procedures which shall include a documented system for the periodic double scrutiny or moderation of random samples of candidates' examination papers covering all examiners.	
	The procedure for double scrutiny should be such that the first examiner is unable to forecast when double scrutiny will occur.	
	Moderation of marking - Please make sure that you record evidence of moderation of examination marking	Examiner Name: Mark awarded: Moderator name: Mark awarded: Examiner Name: Mark awarded: Moderator name: Mark awarded: Examiner Name: Mark awarded: Moderator name: Mark awarded:
	Is a programme implemented within the written procedures to ensure all examiners are moderated over a defined period of time?	
	Any significant difference between the initial marks awarded and those awarded by the second examiner or moderator shall be investigated and appropriate action taken within the AQB system to restore consistency.	
	When double scrutiny or moderation takes place, it is to be recorded on the candidate's records.	
4.8 exam grading		
	Grading of qualification examinations shall be in accordance with the applicable standard.	
	The conduct of practical examinations is to be defined by written procedures which shall include assessment and marking schedules for all possible solutions, observation of the candidate for compliance with safety notes and notices, and selection and correct usage of test equipment.	



CP9 CLAUSE	CONFORMITY CONFIRMED	ASSESSOR REMARKS
	Practical examination marking schedules shall be prepared by an authorised Examiner with appropriate certification	
4.9 control of test equipment		
	The PCB shall establish and maintain a documented calibration procedure acceptable to BINDT for all inspection, test and measuring equipment used in qualification examinations leading to the award of BINDT PED approvals. Such procedures shall include details of equipment type, identification, location, frequency of checks, method of check, allocation of responsibility and actions to be taken when results are unsatisfactory.	
4.10 non-conformity and corrective action		
	Any discovery by the PCB of non-conformity with requirements in qualification examinations that have subsequently resulted in the award of BINDT PED approvals are to be reported by the PCB to BINDT, together with intended corrective actions and the latest date for implementation.	
4.11 preventive action		
	Any potential for non-conformity with requirements in qualification examinations that may subsequently result in the award of BINDT PED approvals shall be addressed by effective preventive action.	
4.12 control of records		
	The PCB shall maintain for at least seven years comprehensive records as evidence of compliance with these requirements. Such records shall include, but not be limited to, results of continuous monitoring and internal audit, staff appraisals, equipment maintenance, periodic reviews of marking and grading examinations, specimen master reports, etc.	
	The PCB shall maintain comprehensive examination records (including precise details of which questions each candidate was set for each initial examination and re-examination) in secure lockable storage.	
	Examination records related to BINDT PED approvals shall be retained for a period of 11 years, and shall be available for scrutiny by authorised BINDT representatives.	
4.13 internal audit		



CP9 CLAUSE	CONFORMITY CONFIRMED	ASSESSOR REMARKS
	The PCB quality management system shall include a documented schedule for internal audit which will cover the whole of the quality management system and examination processes at least once in each calendar year. Internal auditors shall have been trained for that activity and possess sufficient technical knowledge to determine that examination processes are in compliance with applicable standards and specifications.	
	The PCB shall implement a system of continuous monitoring and periodic internal audits of all aspects of qualification examination procedures related to the award of BINDT PED approvals.	

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ANNEX B

MODEL MEMORANDUM OF UNDERSTANDING BETWEEN BINDT AND PCB

A Memorandum of Understanding (MoU) between The British Institute of Non-Destructive Testing (BINDT) and the <Personnel Certification Body (PCB)> concerning the approval of NDT personnel in accordance with CEN/TR 15589:2007 - *Non destructive testing – Code of practice for the approval of NDT personnel by recognised third party organisations under the provisions of Directive 2014/68/EU*.

Introduction:

This MoU defines the protocols between BINDT and PCB as to how PCB will conduct the NDT personnel assessments defined in BINDT document PED-15 under CEN/TR 15589 Route B in order to comply with the requirements of the European Pressure Equipment Directive (2014/68/EU) Annex I clause 3.1.3 for the approval of NDT personnel.

Recital:

2014/68/EU Annex I clause 3.1.3 states that “For pressure equipment in categories III and IV, the personnel must be approved by a third party organisation recognised by a member state pursuant to Article 24.”

Whereas PCB is a company registered in <Country> to provide NDT personnel qualification and certification in accordance with the provisions of EN ISO 9712 – Non-destructive testing – Qualification and certification of NDT personnel.

On the other hand BINDT is a Third Party Organisation recognised by the British Secretary of State in consideration of, inter alia, BINDT accreditation by the United Kingdom Accreditation Service (UKAS) for said activity in accordance with Directive 2014/68/EU Article 24 (Annex I, §3.1.3) to approve NDT personnel for non destructive tests on permanent joints in category III and IV pressure equipment pursuant to the Directive.

This MoU enables BINDT to utilise the resources of PCB for assessing NDT personnel for approval by BINDT in its capacity as a Recognised Third Party Organisation (RTPO).

Protocols

1. BINDT will from time to time request PCB to perform, or to provide acceptable evidence of having performed, NDT personnel qualification examinations leading to the issue of PCB certification satisfying the provisions of BINDT Document PED/15 and this MoU.
2. To fulfil its obligations under this MoU, PCB shall satisfy the requirements of the current edition of EN ISO 9712, including EN ISO/IEC 17024 – Conformity Assessment – General requirements for bodies operating certification of persons. Evidence of satisfying the aforementioned requirements shall be through:

Accreditation of PCB by the <National Accreditation Board (NAB)>
3. BINDT will from time to time carry out a desk-top review of the evidence of satisfactory qualification examinations provided by PCB in respect of personnel seeking BINDT approval.
4. Approval fees will be paid to BINDT by PCB or directly by the beneficiary of the service (the applicant). The amount of the fees payable and the method of payment will be agreed between BINDT and PCB.
5. Liability issues will be covered by a clear statement of limitation on the letter of approval. A sentence to be included in the letter of approval will read “BINDT have approved the named NDT personnel to carry out the specified non-destructive tests on the basis of a qualification examination conducted by <PCB>, equivalent to those of the Harmonised standard EN ISO 9712. It should be noted that although these approvals satisfy the requirements of the directive (2014/68/EU), they are not certification of compliance with EN ISO 9712. The maximum liability of BINDT in respect of this approval shall not exceed £250,000”.
6. PCB or the beneficiary of the service (the applicant) will make payment to BINDT, within 30 days of issue of invoice, in accordance with the schedule of payments agreed by PCB and BINDT.

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7. Both PCB and BINDT will abide by the standard confidentiality requirements of each other currently in force (the terms of which are to be agreed and attached to this MoU), in order to safeguard their respective interests.
8. Each of PCB and BINDT will always act, in respect of any matter relating to this MoU, as faithful advisor to the other and shall at all times support and safeguard the other's legitimate interests in any dealings relating to this MoU.
9. PCB must for compliance, provide BINDT with copies of their current EN ISO 17024 accreditation certificate.
10. BINDT does not represent that the signing of this MoU indicates that PCB will be entrusted with NDT personnel approval services or that PCB will obtain a minimum amount of sales revenues. The signing of this MoU does not commit BINDT and there is no obligation on BINDT to exclusively appoint PCB to perform the assessments required by BINDT.
11. BINDT is aware that PCB is free to perform other NDT personnel approval services, without incurring any liability to BINDT whatsoever. Neither party shall be liable to the other for failure to perform under this agreement where the reason for non-performance is outside the reasonable control of that party, and such performance of this agreement shall be suspended accordingly until it can be reasonably commenced again.
12. PCB is aware that BINDT is free to enter into similar arrangements with other parties without incurring any liability to PCB whatsoever.
13. Each of PCB and BINDT shall inform the other when aware of requests for information made by official bodies in connection with operations under this MoU.
14. This MoU shall enter into force upon its signature by PCB and BINDT and shall remain in force until terminated by either party with 3 month prior written notice to the other.
15. This MoU shall be governed by and construed in accordance with English law. Any claim, dispute or difference arising out of or in connection with these terms and conditions shall be referred to the High Court of Justice in London to whose exclusive jurisdiction the parties hereby submit.

Made in duplicate originals.

Signed:

Date:

Name:

Position: BINDT Certification Services Division

On behalf of The British Institute of Non-Destructive Testing

Midsummer House, Riverside Way, Bedford Road, Northampton, NN1 5NX, United Kingdom

Signed:

Date:

Name:

Position:

On behalf of PCB

Address:

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