



Vehicle
Certification
Agency

Designation of a Technical Service Procedure

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Introduction

The purpose of this document is to set out the high-level procedure to be followed for the designation of new Technical Services. This process also applies to existing Technical Services where further sites are proposed for addition to designation scope.

Application of this process may be required for existing Technical Services wishing to include new legislation or revised levels of legislation within their scope. Due to the range of scenarios it is not possible to be prescriptive, so existing Technical Services should consult with VCA and agree on the relevant approach prior to making an application.

This process is to be read in conjunction with TSG-02 Designation of VCA Technical Services – requirements of the 1958 Agreement and TSG-04 Technical Service Application Invitation Procedure.

Roles and Responsibilities

1.1 The Reviewing Officer

The Reviewing Officer is responsible for:

- receiving and reviewing applications,
- making a recommendation to the Decision Officer at each stage,
- managing the designation process, and
- liaising with the applicant.

At each stage of the process a recommendation to the Decision Officer will be made only after the applicant has been given reasonable time to correct any discrepancies or non-compliances found and to offer supplementary evidence, if appropriate, to support their application.

The Reviewing Officer will normally be the head of VCA Safety Technologies Group.

1.2 The Decision Officer

The Decision Officer is responsible for:

- deciding whether to accept or reject the application based on the recommendations of the Reviewing Officer at each stage, and
- for the final signing of the contract between VCA and the Technical Service if appropriate.

The Decision Officer will normally be the head of Regulatory and Technology Group (RTG).

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1.3 The Appeals Officer

The Appeals Officer is responsible for receiving and reviewing appeals against the decisions of the Decisions Officer.

The Appeals Officer will normally be the Head of Technical and Statutory Operations, who is a member of the VCA Management Board.

2. Legislation

The 1958 Agreement sets out the criteria that Contracting Parties are legally obliged to implement on the minimum standards, auditing, and designation of Technical Services.

These provisions are given legal effect through UK Statutory Instruments. The powers for VCA to issue UN Regulation approvals are currently enacted in section 80 of the Road Traffic Act 1988.

3. VCA Policy

3.1 Period of Designation

The designation will be for a period of 3 years (subject to satisfactory interim surveillance audits and satisfactory performance as a Technical Service) or until such time as the Technical Service requests an amendment to the scope of the designation or withdraws from the agreement.

3.2 Fees

Fees will be charged for all work undertaken by VCA in accepting, processing, and managing an application. The application fee must be paid and a VCA job number obtained prior to starting work on an application, and all fees will be invoiced and payable in advance of the final contract stage.

3.3 Timescales

VCA will aim to:

- acknowledge all applications within 5 working days of receipt;
- complete the application review stage within 20 working days of receipt of application documentation;
- complete the decision stage within 20 working days of completing the test witnessing stage.

The above will apply when the application is complete on receipt and all criteria are met. Additional time will be required to deal with omissions or failings on the part of the applicant.

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3.4 Designation of a Manufacturer

A manufacturer or its representative acting on its behalf may be designated as a technical service for category A activities for only those UN Regulations which make provision for such a designation. In this case, such technical service shall be accredited in accordance with the standards referred to in the relevant schedule to the 1958 agreement.

4. Documentation

Applications must be submitted by applicants on standard VCA forms (see TSA1).

Electronic versions of forms will be accepted.

Reviews and decisions will be recorded by VCA on form TSG-05.

5. Process

5.1 Application review (Stage 1)

Whilst informal advice and consultation can be provided prior to any application, the formal application process will be treated as follows:

A job number must be set up in accordance with VCA Finance process for each application to keep track of time and expenditure incurred.

The application will be reviewed on paper. An administrative review will be carried out to confirm the completeness of the application and that the correct fees have been paid.

This will be followed by a management review to confirm that qualification criteria have been met. These include:

- compliance with an application invitation (see TSG-04); or
- evidence of a market need for the applicants designation; and
- evidence of clear benefit to UK manufacturers, jobs, interests or economy; and
- evidence of a good financial history and credit rating; and
- evidence of good repute; and
- evidence of being established as a legal entity.

If the review is positive then the application moves to the technical audit stage. If it is negative then the application is rejected.

The first two criteria are alternatives i.e. an applicant can apply on the basis of a market need even if there is not an invitation to apply from VCA. The subsequent criteria apply to all applicants.

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New or speculative applications should demonstrate a clear benefit to UK manufacturers, jobs, interests or economy.

Evidence of market need may be partially based on manufacturer requests, but must also show evidence of a significant change in the nature and volume of Type Approval work requiring additional Technical Services; or a change in existing Technical Service provision that means the present Type Approval workload can no longer be supported.

Note that evidence of a market need must be factual not speculative – i.e. actual requests from customers to act as a Technical Service would be sufficient, but a business case that assumes a level of customer demand would not be sufficient. Normally the applicant should supply evidence in writing from at least 3 customers requesting that the applicant become a VCA Technical Service or committing to bring work to the applicant if they become a VCA Technical Service. Less than 3 customers may be acceptable if the volume of work committed is high (for example if a global vehicle manufacturer will give the applicant many tests on many subjects), at the discretion of the Head of RTG.

The Head of RTG will notify the VCA Management Board of the result of each Stage 1 review.

5.2 Technical Audit (Stage 2)

VCA auditors will visit the test facility of the applicant in order to assess compliance with technical criteria. These include:

- appropriate skills, specific technical knowledge, and proven experience of the applicable Directives and Regulations;
- appropriate test facilities for the subjects requested; and
- management systems compliant with ISO17025 and/or 17020.

If the result of the technical audit is positive then the application moves to the test witnessing stage. If it is negative then the application is rejected.

For established Technical Services, any periodic technical audits already conducted may be taken into account for the assessment of stage 2, subject to suitable demonstration of the criteria above. Note that any changes to designated sites or scope that is not already covered in periodic audits may require additional audit visit(s).

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5.3 Test Witnessing (Stage 3)

VCA will witness at least 5 tests at the applicant's site, conducted on different types of product. The number of witnessed tests may be increased if the application covers multiple subjects at the discretion of the Reviewing Officer. Under the observation of the Reviewing Officer or his deputy, the applicant will be expected to:

- conduct the worst case assessment,
- check the manufacturer's product information documents,
- supervise or conduct the tests, and
- compile the technical report.

If the witness tests results are satisfactory then the application moves to the Decision stage. If it is not satisfactory then the application is rejected.

For established Technical Services, any test witnessing already undertaken as part of periodic technical audits may be taken into account for the assessment of stage 3. Note that changes to designated sites or scope that is not already covered in periodic audits may require additional test witnessing.

5.4 Decision (Stage 4)

The Decision Officer will decide whether designation will be given based on the recommendations of the Reviewing Officer.

It is important to note that it is intended that the Reviewing Officer will enter into dialogue with the applicant so that all relevant facts are known, and that the applicant will be given reasonable time to correct any failings that are discovered during the process, before a recommendation is made to the Decision Officer.

If the decision is positive then the application moves to the contract stage. If it is negative then the application is rejected.

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5.5 Contract (Stage 5)

Designation will be completed only when the applicant accepts the terms and conditions set out in the master Agreement and Terms and Conditions of Business (see Annexes 1 to 7). The Agreement will cover the following:

- legal basis
- obligations of Technical Service
- obligations of Approval Authority
- fees
- service standards
- quality control
- surveillance audits
- period of designation
- termination

Signing of the Agreement will be by the VCA Chief Executive for and on behalf of the Secretary of State and by a Director for and on behalf of the applicant company.

6. Notification to UNECE Secretariat

When all of the above stages have been completed successfully and the Agreement has been signed by both parties, VCA will request DfT notify the UNECE Secretariat that the applicant has been designated as a Technical Service for the scope requested.

7. Withdrawal of Designation

If a designated Technical Service fails to meet any of the terms and conditions of designation as described in 6.5 then the designation may be withdrawn.

In such cases the Reviewing Officer will submit to the Decision Officer a report setting out the circumstances and a recommendation. The Decision Officer will decide whether or not the designation will be withdrawn. The Technical Service will be notified of the decision setting out the reasons for withdrawal, the appeals process, and the name of the Appeals Officer.

Following notification of the intent to withdraw designation a period of 28 days will be allowed for the lodging of an appeal. During those 28 days no new work may be taken on by the Technical Service that is dependent on the TS maintaining its designation. The Technical Service must notify VCA of any work that would result in the issuing of an Approval already

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that had been scheduled before the issuing of the notification. If at the end of that period no appeal is forthcoming the designation will be revoked and the Technical Service notified.

If the Technical Service wishes to appeal the decision then the process set out in section 9 will be followed.

If the appeal is upheld then the Technical Service will be reinstated for a probationary period which may be conditional upon completion of satisfactory corrective actions and subject to additional surveillance audits by VCA. If during this period the Technical Service fails to implement agreed corrective actions or fails in other ways then the probation will be stopped and the withdrawal of designation will be re-imposed. There will be no second right of appeal.

If a Technical Service has its designation withdrawn it may not reapply within one year of the withdrawal. On re-application the applicant will be expected to provide robust evidence that the deficiencies that caused the withdrawal have been corrected. If the re-application is successful then the designation will be made for a probationary period of one year to ensure that satisfactory performance is maintained and will be subject to 3-monthly surveillance audits in the first year. If satisfactory performance is not maintained then the designation will be withdrawn.

8. Appeals

If the application is rejected at any stage or if designation is to be withdrawn then the applicant will be informed of the reason for rejection/withdrawal, the name of the Appeals Officer, and the appeals process.

If the applicant wishes to appeal then they will be required to submit justification for their appeal in writing to the Appeals Officer, setting out why they believe that the rejection/withdrawal was not appropriate.

The Appeals Officer will examine the evidence to assess whether:

- the designation process has been followed correctly (if an initial application);
- the decision made by the Decision Officer was appropriate.

The Appeals Officer will notify the applicant of his/her decision in writing.

(Note – the decision to reject an application may be made at an early stage of the process so a successful appeal will restart the process, but may lead to a further decision to reject if later criteria are not met. If that is the case, a further appeal may be made.)

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9. Associated Documents

Title	Document Reference
Application for Designation by VCA as a Technical Service	TSA1
Designation of a Technical Service – Requirements of the 1958 Agreement	TSG-02
Designation of VCA Technical Services – Application Invitation	TSG-04
Record of Decisions Concerning an Application to Become a Technical Service	TSG-05
Technical Service Master List	TSG-06
TSA1 Technical Service Application Form Guidance	TSG-08

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