

HETAS Draft 1

Note

Initial Questions

1. Do you have any comments about the overall process, which was adopted for this consultation?

No

2. Do you have any comments about the overall tone and content of the consultation?

Clause 2.10 of the document –

Please note, the scheme is not accredited by UKAS. The UKAS web site explains saying :-

“Accreditation by UKAS means that evaluators: testing and calibration laboratories, inspection and certification bodies have been assessed against internationally recognised standards to demonstrate their competence, impartiality and performance capability.”

3. Was the report easy to read and understand, could it have been better written?

Yes

4. To what extent did the report’s conclusions provide a balanced view?

5. To what extent did the report make reasoned recommendations for improvement?

6. Please add any further comments?

Consultation Questions

Q3.1. Do you have any comments relating to the consultation process we have selected?

No

Q3.2 Do you have any comments on the timescales outlined?

No

Chapter Four - Consultation Questions

Q4.1. Do you agree with these principles?

Broadly yes – but some comments needed:-

Clause 2.14 Equivalence – If another scheme was to claim equivalence, is it to be equivalent to the minimum standard that MCS **should** attain or to some additional standard that MCS aspires to? Many schemes go further than the minimum requirements but some of their competitors offer a very basic solution that meets the minimum requirements. Aspirant “equivalent schemes” need to understand the “requirement” of MCS or the RHI part of MCS plus anything about MCS that goes over the basic requirement and that aspirant schemes would have to attain. Otherwise there could be false barriers to entry based on their current MCS scheme which is more than an RHI scheme.

Monopoly – No doubt aspirant schemes are claiming that MCS is a monopoly. It is also true that in the UK UKAS is a monopoly. There must of course be considerations around the issue of monopoly and why it is OK for some and not for others?

Q4.2 Do you have any comments on the principles outlined in this section, such as suggestions to make them more appropriate?

Yes. 4.4a talks about some very sensible prerequisites. I believe that schemes themselves are not UKAS accredited. It is the Certification Bodies, operating to EN 17065 and a set of MCS rules that UKAS accredits. This is a very important distinction for those operating within such a regime. It is true to say that MCS and CPS schemes use a set of rules which sit alongside the European Standard BS EN 17065 but not every scheme in every area uses that standard. For instance the GasSafe scheme does not operate under BS EN 17065 it uses 17024 where each operative must be assessed as competent rather than relying on the business processes which are more prominent in 17065. It can be argued that the GasSafe model has some real advantages in some areas but is less robust in others. There are other standards that could be considered like the standard for inspection bodies – and these may not be “equivalent” but arguably could be “better”? There is no doubt in my mind that a combined approach could be better (indeed best), but under the UKAS regime it would appear impossible to combine operating standards without having to comply with two standards side by side. This would increase costs and complexity and should not be considered. There should be a debate.

The document looks at objectives and governance. I feel that at this stage MCS still has not decided what it is here for. It appears to have a confusion over its key “purpose”. Why is it here? What does it do? It doesn’t seem to know although this should be resolved through its process to become a charity. If an aspirant equivalent scheme cannot demonstrate a clear purpose it will not be able to demonstrate clear objectives. One objective could be to meet the needs of a scheme that provides an

entry point for installers and products of a standard to be included in a government incentive scheme. I'm not sure that any scheme currently makes that explicit. For instance MCS feels that it is not here only to provide a scheme for RHI. More that it is a scheme that is found to be suitable for such a purpose; and that does other things. Another scheme might be set up "only for the purpose of providing a scheme to support RHI". It would not therefore be "equivalent" in the wider sense; but possibly may be for the purposes of Ofgem and RHI.

4.4d in the document may be challenged. It says that if MCS changes, and equivalent scheme must keep up. What if an equivalent scheme makes better changes? Will MCS be required to "keep up?"

4.4e There are different routes to achieve goals. Perhaps this is the key point. The only true test of equivalence is whether the scheme delivers equivalent or better. A UKAS accredited BS EN 17065 approach is one way. If another scheme uses a different approach but achieves the same or better, then can an OFGEM process handle the test of equivalence? Without common measurement devices it would prove difficult to measure an aspirant and untested scheme. Can an aspirant scheme offer evidence of operating a similar scheme; or in another sector perhaps? For example, what if Capita uses the GasSafe scheme as evidence that it can run a National competence based scheme that does not utilise BS EN 17065 but uses 17024 instead?

Q4.3 Are there any areas not mentioned that you feel should be covered? Please provide an explanation including any supporting information with your response.

Chapter Five - Consultation Questions

Q5.1. Do you agree with our proposals on MCS equivalence criteria?

Respectfully I feel that the criteria have been developed to assess a scheme that is "similar" (not the same but very similar) to MCS and this may be a mistake. I certainly agree with the statement that an equivalent scheme should achieve the same (or possibly better) standards of compliance.

I don't agree that any scheme must include both product and installer. I believe there is room for a scheme that concentrates on one or the other so long as other schemes exist to fill the gaps.

Q5.2 What additional criteria, if any, do you suggest should be considered?

Please provide an explanation including any supporting information with your response.

Q6.1. Do you agree with our approach on assessment of criteria from a scheme claiming to be MCS equivalent? If not, can you suggest an alternative assessment process?

Broadly, but I feel the process can only end up with a similar scheme to MCS rather than allowing a different, possibly innovative approach. Although I do understand the challenges in measuring two dissimilar organisations or approaches. However, different approaches to achieve the same ends have just been agreed in the gas safety sector where larger businesses are treated very differently from smaller businesses with fewer operatives. This utilises a UKAS Accredited regime !

Q6.2 Do you agree with our proposals on the audit and verification of MCS equivalence by a scheme claiming equivalence?

No. As evidenced by the Competent Persons Schemes, an installer scheme can utilise UKAS accredited CB's which operate against a different set of rules and the scheme can be successful. Both operate to BS EN 17065 but they treat installers very differently. There appears to be little evidence to suggest that the much more onerous MCS scheme achieves a higher standard. The CPS model is much less onerous for one man, and small businesses. I suggest that an approach somewhere in-between that of MCS and CPS might achieve a balance in performance whilst not actually being "equivalent" in some ways.

There is the question of "standards". There is already a very strong standards setting regime in the UK through BSI. There is also a lot of effort within MCS yet that process is not as robust. Should a new "equivalent" have to set their own standards or perhaps "adopt" those set by others? What if MCS claims ownership of the MCS standards? Does a new body have to start again? Can it use other published standards?

Q6.3 Are there any other aspects relating to the assessment of an alternative scheme's claim to MCS equivalence that you feel we should consider?

Yes – previous experience in similar schemes.

Q6.4 Do you think that there are or should be alternative methods that equivalence to MCS could be demonstrated to Ofgem?

Q6.5 What ongoing evaluation of an equivalent scheme do you think is needed and how often?

Q6.6 Are there any additional points that you want to make?

A great deal of work and thought has been put in to the document and questions. Many of the points being raised will have already been discussed during the formation of the document.

I would like to think that the first part of the assessment process would be to set out the important parts of any scheme and ensure that MCS already meets these. Otherwise equivalence is fairly meaningless.

Once the key and critical parts of MCS are understood there can be a more meaningful evaluation of any equivalent.

Having equivalents is likely to cause confusion and possibly a dilution of standards. I'm sure this is already recognised.

Any scheme should provide a suitable warrantee for all installs. It should not be left to individual CB's.

It appears that the Heat Pump sector is discussing options with DECC via Patrick Allcorn. There is some work around "simplification" where that sector is doing some work around the key issues in the supply chain that have an effect on quality of installation. Perhaps this work should take place for all sectors prior to judging what a good scheme is and how one might claim equivalence.

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