Competence Management System:
Requirements
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Foreword

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Presentational conventions

The provisions of this standard are presented in roman (i.e. upright type). Requirements are expressed in sentences in which the principal auxiliary verb is 'shall'.

Commentary, explanation and general informative text is presented in italic type, and does not constitute a requirement. The word 'should' is used to express recommendations.

Contractual and legal considerations

This publication does not purport to include all the necessary provisions of a contract. Users are responsible for its correct application.

Compliance with this standard cannot confer immunity from legal obligations.
Introduction

Please note that a reference to any statute should be interpreted as a reference to that statute or any statute that subsequently replaces or modifies it.

The Environmental Protection Act and subsequently, the Pollution Prevention and Control (England and Wales) Regulations created a Licensing Regime for the waste management industry. The Act specified for sites that required a waste management licence or permit the management of activities must be in the hands of a technically competent person. The requirement was for a technically competent individual, or individuals, to be in a position to control the day-to-day activities authorised by the licence or permit and carried out at the permitted site.

The Environmental Permitting Regulations (EP Regulations) were enacted in England and Wales in April 2008. The environmental permitting regime combined Waste Management Licensing (WML) and Pollution Prevention and Control (PPC) to create a single environmental permit with a common approach to permit applications, maintenance, surrender and enforcement. Where an operation requires a permit the organisation is now required to demonstrate technical competence through a scheme approved by Defra and the Welsh Government. These regulations allowed for ‘approved’ schemes to be used to demonstrate technical competence (operator competence) for permitted sites. These new schemes replaced the previous technical competence requirement to obtain a Certificate of Technical Competence (CoTC) and Environment Agency assessment.

The Competence Management System (CMS) is a scheme that is recognised and approved by Defra and the Welsh Government as a method of demonstrating technical competence of permitted sites.

The overall aim of this Standard is to support environmental protection and protect human health from the process and occupational risks associated with their operations. The competence of people at each level in the organisation whose work affects this protection is essential. A CMS will enable operators to demonstrate that they have the ‘technical competence’ required to satisfy regulatory requirements (and are therefore technically competent legally).

The arrangements for identifying the competence needed; designing competence requirements into the description of roles; assigning tasks; carrying out work; monitoring progress; and maintaining compliance are critical requirements of the CMS.
Certification of an operator’s CMS by an accredited certification body* (ACB) will be recognised as evidence of the ‘technically competent management’ of a site or sites.

The CMS Standard will be maintained by EU Skills under the guidance of the CMS Steering Group.

The ACB will notify organisations of the status of their CMS and in turn organisations will notify the regulator of any changes in status of their CMSs.

The ACBs will, at any given time, be able to confirm the status of an organisation’s CMS certification along with details of the applicable sites to the regulator or any other interested party.

A link to ACBs will be made available by EU Skills to cover transitional arrangements until a nationally recognised accreditation body (e.g. UKAS) grants accreditation of ACBs against the Standard.

Transition from other schemes

It will be particularly important to describe the arrangements for making the transition from an alternative scheme to full implementation of this scheme.

Organisations must be able to demonstrate first that their planned arrangements are robust and, secondly, that they can maintain technically competent management (and technical competence) of activities through any period of transition.

This can be achieved by satisfying the current arrangement until the CMS certification is in place.

This is an organisational approach to ensuring technical competence and as such the management of competence cannot be outsourced to a third party.

Throughout the text of this Standard wherever the term ‘environmental permit’ occurs, it can also mean ‘waste management licence’ and should be taken to refer to any equivalent document fulfilling an equivalent purpose.

*An accredited certification body is one which has been accredited to BS EN ISO/IEC 17021:2011 by the United Kingdom Accreditation Service (UKAS) to provide certification to this standard.
1 Scope

This Standard specifies the requirements of a Competence Management System (CMS) that will enable an organisation to demonstrate the competence required to satisfy regulatory requirements of holding an environmental permit.

This Standard is applicable to any organisation that chooses to:

a) Establish, implement, maintain and continually improve a CMS
b) Assure itself of its conformity with its technical competence policy and meeting the requirements of the environmental permit
c) Demonstrate competence by conforming to this Standard for those activities required by environmental permitting regulations

All requirements of this standard are intended to be congruent with an environmental management system.*

2 Terms, definitions and abbreviations

For the purposes of this Private Standard, the following terms, definitions and abbreviations apply.

2.1 ACB – Accredited Certification Body

2.2 Audit

Systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which the audit criteria are fulfilled.

NOTE 1 An audit can be an internal audit (first party) or an external audit (second party or third party), and it can be a combined audit (combining two or more disciplines).

NOTE 2 ‘Audit evidence’ and ‘audit criteria’ are defined in BS EN ISO 19011:2011.

* A requirement of all Environmental Permits in England, Wales, Scotland and Northern Ireland is for licensed activities to have an environmental management system.
2.3 CoTC – Certificate of Technical Competence

2.4 Competence

Ability to apply knowledge and skills to achieve intended results.

2.5 Competence Management System

Part of an organisation's management system used to develop and implement its technical competence policy and manage its competence.

NOTE 1 A management system is a set of interrelated elements used to establish policy and objectives and to achieve those objectives.

NOTE 2 A management system includes organisational structure, planning activities, responsibilities, practices, procedures, processes and resources.

2.6 Conformity

Fulfilment of a requirement.

2.7 Correction

Action to eliminate a detected non-conformity.

2.8 Corrective Action

Action to eliminate the cause of a non-conformity and to prevent recurrence.
2.9 Documented Information

Information required to be controlled and maintained by an organisation and the medium on which it is contained.

NOTE 1 Documented information can be in any format and media and from any source.
NOTE 2 Documented information can refer to:
   a) the management system, including related processes
   b) information created in order for the organisation to operate (documentation)
   c) evidence of results achieved (records)

2.10 Effectiveness

Extent to which planned activities are realized and planned results achieved.

2.11 Environmental Permit

Permit granted by the regulator allowing the operation of a regulated facility subject to certain conditions.

NOTE 1 Wherever the term ‘environmental permit’ occurs, it can also mean ‘waste management licence’ and should be taken to refer to any equivalent document fulfilling an equivalent purpose.
NOTE 2 Companies carrying out activities that could potentially cause emissions to air, land or water may need to hold an environmental permit. The permit specifies conditions with which an operator must comply. Operators must pay an annual charge for their environmental permit.
NOTE 3 Operators are required to obtain an environmental permit for some facilities or to register exemptions for certain waste activities. These give rise to the requirement of on-going supervision by regulators. The purpose of a permit is to:
   a) protect the environment and human health
   b) deliver permitting and compliance effectively and efficiently in a way that provides increased clarity and minimises the administrative burden on both the regulator and the operators of facilities
   c) encourage regulators to promote best practice in the operation of regulated facilities
   d) continue to fully implement European legislation

2.12 Improvement

Process of enhancing the competence management system in order to achieve improvements in overall performance consistent with the organisation's technical competence policy.
2.13 Management System

Set of interrelated or interacting elements of an organisation to establish policies and objectives and processes to achieve those objectives.

NOTE 1 A management system can address a single discipline or several disciplines.
NOTE 2 The system elements include the organisation’s structure, roles and responsibilities, planning, operation, etc.
NOTE 3 The scope of a management system may include the whole of the organisation, specific and identified functions of the organisation, specific and identified sections of the organisation, or one or more functions across a group of organisations.

[SOURCE: BS ISO 14001:2004]

2.14 Measurement

Process to determine a value.

2.15 Monitoring

Determining the status of a system, a process or an activity.

NOTE To determine the status there may be a need to check, supervise or critically observe.

2.16 Non-Conformity

Non-fulfilment of a requirement.

2.17 Objective

Result to be achieved:

NOTE 1 An objective can be strategic, tactical, or operational.
NOTE 2 Objectives can relate to different disciplines (such as financial, health and safety, and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product and process (3.13)).
NOTE 3 An objective can be expressed in other ways, e.g. as an intended outcome, a purpose, an operational criterion, as an IMS objective or by the use of other words with similar meaning (e.g. aim, goal, or target).
NOTE 4 In the context of an IMS, IMS objectives are set by the organisation, consistent with the IMS policy, to achieve specific results.
2.18 Organisation

Person or group of people that has its own functions with responsibilities, authorities and relationships to achieve its objectives.

NOTE The concept of organisation includes, but is not limited to sole-trader, company, corporation, firm, enterprise, authority, partnership, charity or institution, or part or combination thereof, whether incorporated or not, public or private.

2.19 Outsource (verb)

Make an arrangement where an external organisation performs part of an organisation’s function or process.

NOTE An external organisation is outside the scope of the management system, although the outsourced function or process is within the scope.

2.20 Performance

Measurable result.

2.21 Policy

Intentions and direction of an organisation as formally expressed by its top management.

2.22 Process

Set of interrelated or interacting activities which transforms inputs into outputs.

2.23 Requirement

Need or expectation that is stated, generally implied, legal or obligatory.

NOTE 1 ‘Generally implied’ means that it is custom or common practice for the organisation and interested parties that the need or expectation under consideration is implied.

NOTE 2 A specified requirement is one that is stated, for example, in documented information.
2.24 Risk

Effect of uncertainty on objectives.

[SOURCE: BS ISO 31000:2009]

NOTE 1 An effect is a deviation from the expected – positive or negative.
NOTE 2 Uncertainty is the state, even partial, of deficiency of information related to, understanding or knowledge of, an event, its consequence, or likelihood.
NOTE 3 Risk is often characterised by reference to potential events (ISO Guide 73:2009, 3.5.1.3) and consequences (ISO Guide 73:2009, 3.6.1.3), or a combination of these.
NOTE 4 Risk is often expressed in terms of a combination of the consequences of an event (including changes in circumstances) and the associated likelihood (ISO Guide 73:2009, 3.6.1.1) of occurrence.
NOTE 5 Objectives can have different aspects (such as financial, health and safety, and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product and process (taken from BS ISO 31000:2009, definition 2.1, Note 2).

2.25 Stakeholder

Person or organisation that can affect, be affected by, or perceive themselves to be affected by a decision or activity

2.26 Technical Competence

Requirement that operators holding environmental permits are competent to deal with the environmental risks associated with their activities.

NOTE All operators should be technically competent to operate their facility and be capable of demonstrating their competence on an on-going basis. They should know: how to operate the equipment; how to comply with the law and government policies, and; how to minimise risk and the impact on people and the environment. That requires knowing where sensitive sites which may be affected are located (e.g. watercourses, housing, schools, nature conservation sites, local wildlife and heritage sites) and the pathways by which the emissions could reach them.

This can be demonstrated by compliance with an approved industry scheme: the CMS is such an approved scheme.

2.27 Top Management

Person or group of people who directs and controls an organisation at the highest level.

NOTE 1 Top management has the power to delegate authority and provide resources within the organisation.
NOTE 2 If the scope of the management system covers only part of an organisation then top management refers to those who direct and control that part of the organisation.
NOTE 3 Performance can relate either to quantitative or qualitative findings.
NOTE 4 Performance can relate to the management of activities, processes, products (including services), systems or organisations.
3 Competence Management System Requirements

3.1 General requirements

The organisation shall establish, document, implement, maintain and continually improve a CMS in accordance with the provisions of this Standard and determine how it will fulfil these requirements.

The system shall enable the organisation to identify, develop, assess, maintain and deploy the competences required.

The organisation shall define and document the scope of its CMS.

3.2 Technical Competence Policy

Top management shall define the organisation’s technical competence policy and ensure that, within the defined scope of its CMS it:

a) Is appropriate to the nature and scale of its environmental permit activities
b) Includes a commitment to comply with the requirements of the environmental permit, maintain competence and improve the CMS
c) Provides the framework for setting and reviewing competence related objectives and targets
d) Is documented, implemented and maintained
e) Is communicated to all persons working for or on behalf of the organisation
f) Is available to relevant parties
g) Is reviewed periodically to ensure that it remains relevant and appropriate to the organisation

The organisation shall ensure a systematic approach to identifying, demonstrating and maintaining competence that ensures compliance with requirements as detailed in the environmental permit for a site(s) and/or activities.

Top management shall communicate to all levels and functions of the organisation the importance of the CMS.
3.3 Planning

Top management shall ensure that competence objectives are established at relevant functions and levels within the organisation. The competence objectives shall be measurable and consistent with the technical competence policy.

Top management shall consider and include the competence requirements within its Environmental Management System.

3.3.1 Design and Planning

Top management shall ensure that:

a) The organisation identifies the competences required to maintain compliance with the environmental permit and competence management system objectives
b) The organisation defines the process for assigning competences required for each role to demonstrate compliance with the environmental permit and competence objectives
c) The organisation identifies the means of providing evidence of competence
d) The organisation defines the measures against which competence can be managed

3.3.2 Legal and other Requirements

The organisation shall establish, implement and maintain a procedure to:

a) Identify and have access to the applicable legal requirements and other requirements to which the organisation subscribes in relation to activities it operates under an environmental permit
b) Determine how these legal and other requirements apply to its competence requirements and ensure they are taken into consideration when establishing, implementing and maintaining the CMS
c) Communicate the relevant legal and other requirements to persons working for, or on behalf of, the organisation

3.3.3 Objectives and Targets

The organisation shall establish, implement and maintain documented CMS objectives and targets, at relevant functions and levels within the organisation. The objectives shall be measurable and consistent with the technical competence policy.
3.4 Implementation and Operation

3.4.1 Roles, Responsibilities, Authority and Resources

Top management shall ensure the availability of resources required to establish, implement and maintain the CMS. Roles, responsibilities, authorities and resources shall be defined, documented and communicated in order to ensure effective competence management.

Top management shall appoint a specific management representative(s) who, irrespective of other responsibilities, shall have the defined role, responsibilities and authority to:

   a) Ensure a CMS is established, implemented and maintained in accordance with this Standard
   b) Report to top management on the performance of the CMS

3.4.2 Competence Management System Operation

The organisation shall ensure that person(s) performing tasks under its control that can impact on the requirements of the environmental permit are competent and shall retain associated records.

The organisation shall establish, document, implement and maintain a procedure for identifying and deploying the relevant competences required.

The organisation shall determine the actions required to achieve conformance with the requirements of this standard and compliance with the environmental permit.

3.4.3 Communications

With regards to its environmental permit and requirements of the CMS, the organisation shall establish, implement and maintain a procedure for:

   a) Internal communication amongst the various levels and functions of the organisation to ensure there is awareness of
      I. The consequences, actual or potential, of their work activities, their behaviour and the environmental benefits of improved personal performance
      II. ii) Their roles and responsibilities and importance of carrying out activities in compliance with the environmental permit
b) Receiving, documenting and responding to relevant communications from stakeholders

c) Communicating with contractors and other visitors to the site

d) Communicating with the relevant regulator on the status of its CMS

3.4.4 Documentation

The CMS documentation shall include:

a) The technical competence policy, objectives and targets;
b) A description of the scope of the CMS;
c) Documents, including records, required by this CMS Standard; and
d) Documents, determined by the organisation to be necessary to ensure the effective planning, operation and control of competences that relate to the management of its environmental permit requirements.

3.4.5 Document Control

Documents required by the CMS shall be controlled.

The organisation shall establish, implement and maintain a document control procedure(s) to:

a) Approve documents for adequacy prior to issue
b) Review and update as necessary and re-approve documents
c) Ensure that changes and the current revision status of documents are identified
d) Ensure that relevant versions of applicable documents are available at point of use
e) Ensure that documents remain legible and readily identifiable
f) Ensure that documents of external origin determined by the organisation to be necessary for the planning and operation of the CMS are identified and their distribution controlled
g) Prevent the unintended use of obsolete documents and apply suitable identification to them if they are retained for any purpose
3.5 Checking

3.5.1 Performance Monitoring and Measurement

The organisation shall establish, document, implement, communicate and maintain procedure(s) to monitor the effectiveness of the CMS on a regular basis.

The procedure(s) shall include the monitoring of performance, applicable controls and conformity with the organisation’s objective and targets.

The procedure(s) shall provide for:

a) Both qualitative and quantitative measures, appropriate to the needs of the organisation
b) Monitoring of the extent to which the organisation’s CMS objectives are met;

c) Proactive measures of competence that monitor conformance with legal and other requirements and operational criteria

d) Reactive measures of performance that monitors incidents and breaches and other historical evidence of deficient CMS performance

e) Recording of data and results of monitoring and measurement sufficient to facilitate subsequent corrective and preventive action analysis

The organisation shall document the performance of personnel and any sub-contractors used which interact with the CMS.

3.5.2 Internal Audit and Assurance

The organisation shall ensure that internal audits of the CMS are conducted at planned intervals to:

a) Determine whether the CMS conforms to the organisation’s technical competence policy and objectives
b) Determine that the CMS is effectively implemented and maintained in line with this standard

Audit programme(s) shall be planned, established, implemented and maintained by the organisation, based on the risk associated with the organisation’s activities in relation to competence, and the results of previous audits.

Audit procedure(s) shall be established, implemented and maintained that address:

a) The responsibilities, competences and requirements for planning and conducting audits, reporting results and retaining associated records
b) The determination of audit criteria, scope, frequency and methods
3.5.3 Non-Conformity, Corrective Action and Preventive Action

The organisation shall establish, implement and maintain a procedure for dealing with actual and potential non-conformity(ies) and for taking corrective and preventive action.

The procedure(s) shall define requirements for:

a) Identifying and correcting non-conformity(ies) and taking action(s) to mitigate their impacts
b) Investigating non-conformity(ies), determining the cause(s) and underlying competence deficiencies and other factors and taking action to avoid recurrence
c) Identifying the need for corrective actions
d) Identifying opportunities for preventive action
e) Recording and communicating the results of corrective action(s) and preventive action(s) taken
f) Determining underlying competence deficiencies and other factors that might be causing or contributing to the occurrence of non-conformity(ies)
g) reviewing the effectiveness of corrective action(s) and preventive action(s) taken

3.5.4 Management Review

Top management shall review the organisation’s CMS at planned intervals to ensure its continuing suitability, adequacy and effectiveness in meeting the requirements to maintain competence.

Reviews shall include assessing opportunities for system improvement and the need for changes to the CMS, including the technical competence policy and objectives and targets. Records of these management reviews shall be retained.

Inputs to management reviews shall include:

a) Results of internal audits
b) Communication from stakeholders
c) The competence performance of the organisation against its environmental permit
d) The extent to which objectives and targets have been met
e) Status of corrective and preventive actions including those resulting from non-conformity(ies)
f) Follow-up actions from previous management reviews
g) Changing circumstances, that could impact on the competence requirements
h) Recommendations for improvement

The output from management reviews shall include any decisions and actions related to changes to the technical competence policy, objectives, targets and any other elements of the CMS.
Bibliography

Standards publications

For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

BS ISO 14001:2004, *Environmental management systems – Requirements with guidance for use*

BS EN ISO 19011:2011, *Guidelines for auditing management systems*

BS EN ISO/IEC 17021:2011, *Conformity assessment – Requirements for bodies providing audit and certification of management systems*

BS ISO 31000:2009, *Risk management – Principles and guidelines*


Other publications


