

CCS SCHEME RULES V.8 CONSULTATION RESPONSES - SEPTEMBER 2018				
Clause/proposal, page, table, annex	Comment	REAL Comment (justification for change)	Proposed change	Accepted / Rejected
		Scheme Rules v7		
Clause 4.1.10	REAL will need to clarify whether the intended scope accreditation is just for certification of composts produced to PAS 100 or to PAS 100 and the QP. It is recommended that UKAS should accredit the scheme for PAS100 and the QP along with the REA Scheme Requirements.	There are now three scopes of certification so we would like accreditation for one certification scheme with all three scopes.	n/a	Accepted
Clause 4.2.3/4.2.4/4.2.7/7.3.1	These clauses appear to be scheme requirements and should be in the PAS (auditable document) rather than in the scheme rules	Clause 4.2.3 could not be a PAS requirement. Clause 4.2.4 and 7.3.1 are interpretations of PAS requirements. Clause 4.2.7 is a rule for producers operating under the Compost Certification Scheme.	Clause 4.2.3 rewritten to include 'SEPA's Regulatory Position Statement for Compost (if applicable)'. Second sentence of clause 4.2.4 moved to clause 4.2.3 and first sentence of 4.2.4 moved to technical guidance/position document. Section 7.3 moved to technical guidance/position document.	Rejected
Clause 4.2.6	States that "termination" of PAS 100 compost production at a site will result in suspension of the certification from the certification body. Use of the word suspension twice in the same sentence with different meanings is confusing. The word "suspension" relating to cessation of production should be changed to a different word.	Agree	Change to 'temporary cessation'	Accepted
4.2.9	The scheme should define geographic restrictions e.g. limited to the UK borders. There has been no previous indication that this scheme would/could operate outside of the UK borders. If this scheme is intended to operate in Europe then it will be subject to scrutiny at the European accreditation level.	We would like to discuss this further	No change. Discussed with UKAS and UKAS will be informed of any applicants/developments.	Rejected
4.2.10	If UKAS only accredits PAS100 + QP produced compost, then this clause becomes irrelevant to the accredited scheme. Derogations are not encouraged by UKAS for accredited schemes.	We would like to discuss this further	Text amended but no change. Discussed with UKAS and agreed that derogations can be important for R&D purposes to inform industry developments and changes to documents (e.g. Quality Protocol).	Rejected
Clause 5.1.1	This clause is incorrectly numbered as 14.1.1. There is no mention of the competence requirements for the certification bodies who will deliver certifications against the scheme or who is responsible for defining competence criteria.	Certification bodies determine competency of individual personnel but we will add criteria for appointing new personnel into contracts.	Numbering corrected. Criteria for certification bodies will be added to contracts in place between REAL and certification bodies.	Accepted
Clause 5.5	It is suggested that these independent samplers need to be trained/controlled/approved/audited when as they have an impact on the certified product (compost).	Independent sampling requirements have been removed	n/a	Accepted
Clause 5.6	What are the criteria for an appointed laboratory – (see clause 12.6 in PAS 100 review above)?	Criteria for 'approved laboratories' detailed in the laboratory T&Cs	Added reference to laboratory T&Cs	Accepted
Clause 6.2.2	It is recommended that UKAS should only accredit the scheme for PAS100 and the QP along with the REA Scheme Requirements (see comment for Clause 4.1 above).	There are now three scopes of certification so we would like accreditation for one certification scheme with all three scopes.	n/a	Rejected
Clause 7.1.5	As currently worded this appears to allow the producer to refuse a UKAS presence at the audit. It would be helpful if the Scheme rules stated that producers must co-operate and host witnessed audits for accreditation when requested.	No comment	New clause added to address this comment	Accepted
Clause 7.1.6	Refers to audit duration. Experience will provide evidence to support typical audit duration time. Audit day should be no longer than 8 hours and it would be anticipated that no audit would be less than 1 man-day duration.	No comment	Obtained average audit duration times from certification bodies and requirement added to clause based on UKAS comment	Accepted
Clause 7.1.7	There is no reference to practical site observation of the process for composting. This appears to be this implicit in paragraph (b) but it is suggested it is made explicit. There is no reference to review of the sampling/testing/results. In (c), the QP would always be applicable for UKAS accredited certification audits.	No comment	Clause revised accordingly but review of the QMS will depend on the scope of certification sought	Accepted
Clause 7.2.1	The list of content relating to 7.2.1 does not correlate with the opening paragraph that refers to non-conformities e.g. b) compost grade (would not apply to a QMS non-conformity); f) the hours taken to complete the inspection visit; g) description for reasons to shorten/lengthen the inspection.	Agree	List split in two and another clause added for clarification	Accepted
Clause 7.3	The title may need revision e.g. "Consecutive failures of the same parameter"	Agree	Title corrected and section moved to technical guidance/position	Accepted
Clause 7.3.1	It is considered that consecutive failures should be recorded.	Agree	Requirement for records added and section moved to technical guidance/position	Accepted
Clause 8.1	Item D of the list of details for the certificate is actually part of item C. Subsequent items require relettering.	Agree	Change made accordingly	Accepted
Clause 8.1.3	States that postponement of inspections are only due to exceptional circumstances and that the Certification Body shall determine whether a circumstance is exceptional in consultation with REAL. It is unusual for a scheme owner to preside over such decisions, and more appropriate for the Certification body to determine the circumstances and justify their actions in a documented manner. In this way the certification body is responsible for the certification process that they are delivering.	Potential for lack of control if revised	Maximum timeframes for renewal added into Scheme Rules so temporary certificates no longer required	Accepted
Clause 9.0	Indicates the logos for the 2 schemes - PAS 100 + COP and PAS 100. See also Paras 4.1, 4.2.10, and 6.2 UKAS accreditation is recommended only for the PAS100 + QP.	There are now three scopes of certification so we would like accreditation for one certification scheme with all three scopes.	Three new conformity marks will be issued to reflect three scopes of certification	Accepted
Clause 9.1.3	Refers to another set of requirements for use of scheme logo on CCS website. It is not clear if this refers to the REAL document entitled "Declaring conformity with BSI PAS 100 and the Compost Quality Protocol using REAL compost Certification Mark". If so then it is suggested that this would be better as an Annex of the Scheme Rules. It is not helpful for producers and other stakeholder to have to search for documentation for requirements and guidance. This document was not evaluated for its technical content as part of this review	No comment	Webink added for applicable document	Accepted
Clause 9.1.5	Under accreditation the use of the mark (UKAS logo and REAL logo) would be limited to the producer alone and for use at the site that has been audited and certified. No third party would be allowed to use either logo even with approval from REAL.	We would like to discuss this further	Requirement added for any products containing a portion/percentage of certified compost	Accepted
Clause 9.1.6	It is clear what this clause is implying – use of logo should be based on certification after and audit/inspection and a certification decision from the Certification body.	We would like to discuss this further	Requirement added for any products containing a portion/percentage of certified compost	Accepted
Section 10	The independent sampling process is outside of the certification process and certification body control and therefore not part of this review. However for information please note the following comments	Independent sampling requirements have been removed	n/a	Accepted
Clause 10.1.2	The current wording appears to limit the "key criteria" of independent, but it should be clarified that there may be other situations e.g. recognition of potential for personal/family conflicts of interest. It should be clarified who provides training for independent samplers, how this is verified, who keeps the training records and who will review them. The CCS website document "How the independent sampling works" has not been reviewed.	No change as independent sampling requirements have been removed.	n/a	Accepted
Clause 10.2.1	Suggest changing "cover" for "covered".	Independent sampling requirements have been removed	n/a	Accepted
Clause 10.2.5	The CCS website document "Procedures in the event of independent sampling failures" has not been reviewed.	Independent sampling requirements have been removed	n/a	Accepted
Clause 10.3	Where this independent sampling is unannounced it is unclear how this fits into the certification process.	Independent sampling requirements have been removed	n/a	Accepted
Clause 11.1.2	It is not clear how an applicant can be withdrawn from the scheme when they are not yet certified into the scheme or whether they would be allowed to reapply. If so, is there a time limit? If they cannot reapply this may be in conflict with the accreditation requirements for "Non-Discriminatory conditions" ISO17065:2012 Clause 4.4.	Agree	Clause reworded to clarify these requirements and a cooling off period introduced	Accepted
Clause 11.2.1	There may be other reasons to invoke suspension of a producer that are not related to actual non-conformities.	Agree	Clause rephrased	Accepted
Clause 11.2.2	It is not clear why there is a 5 working day time constraint on informing parties of reinstatement of certificate to a producer but not the same time limit for informing parties of the suspension.	Agree	Same working day time constraint introduced	Accepted
Clause 11.2.3	How is a Certification Body able to verify "product on site" at time of suspension from photographic evidence? A site visit may be more appropriate, both to invoke and to cancel a suspension.	Agree	Suggestion for photographic evidence removed and clause rephrased	Accepted
Clause 11.2.5	The clause should state if the "withdrawal" threat only applies to Corrective action related to the suspension non-conformity.	No comment	Clause rephrased	Accepted
Clause 11.2.9	Is there a "cooling off period" between withdrawal date and reapplication date? NOTE: refers to "sham recovery" What does this mean?	"Sham recovery" refers to material that has not been composted properly e.g. 'shred and spread'.	Cooling period of one month added	Accepted
Clause 11.2.10	Should there be a 5 working day time constraint on certification body to inform the Regulator of withdrawal of certificate to a producer?	No comment	Same working day time constraint introduced	Accepted
Clause 12.1.4	5 years to retain a composter as "specified" i.e. a certified supplier of composts, seems a long time after they have left the scheme. How has this been justified?	Agree	Changed to 3 years	Accepted
Clause 12.1.6	This clause is complicated and does not read well. It might be better to list the situations that REAL would expect to be reported to them. There is another reference to "sham recovery".	No comment	Clause rephrased	Accepted
Clause 12.2.1	The approved laboratory may not be able to release the test results to the certification body or REAL where they are under an accreditation confidentiality agreement with their client, the producer. REAL would need to explain how to overcome this issue.	The producers agree for the laboratories to send the tests results to their certification body and REAL by signing these rules	n/a	Rejected
Clause 12.2.2	How does the laboratory formally know that the producer has given permission for results to be disclosed to REAL and the certification body and regulators? Is the producer required to provide a signed edict for this purpose?	Requirements in laboratory T&Cs for the provision of test results. The producers agree for the laboratories to send the test results to their certification body and REAL by signing these rules.	n/a	Accepted
Clause 13.1.1.	While a complainant can complain to the certification body about the producer it is not usual for all complaints about a producer operation to be directed to the certification body. A producer should have a system to manage resolve and document its own complaint handling	No comment	Clause revised so that only product complaints are escalated through scheme complaint procedures instead of complaints about producers (companies). Requirements for producers to deal with complaints.	Accepted
Clause 13.1.2/13.1.3/13.1.5/13.1.6/13.1.7/13.1.8/13.1.11/13.1.12/13.1.13	Where REAL accepts a complaint about a producer they should have a process to manage, resolve and document complaints or a mechanism for redirecting such complaints to the producer for investigation and resolution. It is primarily the responsibility of each participating organisation to deal directly with complaints relating to itself, by means of formal procedures, investigation and record-keeping, including liaison with REAL and/or its certification body as necessary; these actions will be reviewed by the certification body in question as part of the certification process. Is it appropriate for REAL to be involved in all complaints to determine if the regulator should be informed/involved?	We would like to be kept informed of product complaints and investigations. We would like the regulator to be notified of all product complaints even if the investigation doesn't require the regulator's involvement.	Requirement added for certification bodies to notify regulators of all complaints.	Accepted
Clause 13.1.10	There has been no indication, until this point, that the nature of complaints being dealt with in this section is related to 'compost deficiency'. Deficiency of product is again an issue that would typically be dealt with directly by the producer.	Agree	Clause rephrased	Accepted
Clause 13.2.2	Does REAL need to be involved in such complaints about certification bodies. The certification body should be following its own procedures under accreditation and UKAS would review the complaints at the time of the next surveillance for the certification body.	We would like to be informed of complaints for monitoring purposes and these are presented by the certification bodies to the Technical Advisory Committee.	n/a	Accepted
Clause 13.3.2	Does REAL need to be involved in such appeals about certification bodies. The certification body should be following its own procedures under accreditation and UKAS would review the appeals at the time of the next surveillance for the certification body.	We would like to be informed of appeals for monitoring purposes and the appeal would only be escalated to REAL when necessary.	n/a	Accepted
Annex 2	See Para 4.2.10 (Scheme Rules) Above. If the scheme continues with the use of derogations it is unclear how the CB will be made aware of the detail of any product affected. Derogations are not mentioned in the PAS100. If the scheme continues with the use of derogations it is unclear how the CB will be made aware of the detail of any product affected. Derogations are not mentioned in the PAS100. It is concerning that derogations are being considered. This scheme is not about obtaining sufficient materials to meet a need (e.g. animal feed). This scheme is about financial expediency, in order to avoid cost in disposing of waste. If a producer cannot make a product to the requirements of the PAS100 it is unclear how it would be acceptable to deviate from those requirements and produce a product which is effectively non-compliant. Such products should not be certified and should certainly not be under accredited certification.	We would like to discuss this further	Text amended but no change. Discussed with UKAS and agreed that derogations can be important for R&D purposes to inform industry developments and changes to documents (e.g. Quality Protocol).	Rejected

General	Consider not introducing Research Fee for applicants	The research fee is coupled with the certification fee so as a 'member' of the scheme, all operators will contribute to the research hub	Clause revised so that the research fee will only be charged if the applicant is successful	Accepted
General	Auditors observe the sampling procedure at annual audit	Would like to consult on this	Clause added to consultation document as a requirement for inspectors to witness sampling during the annual audit	Accepted
General	Recommends reviewing auditing frequencies, perhaps two a year may be more robust with one looking at procedures and the second an unannounced spot check to look at product quality	We think this would be a good change and improve robustness but we would like to consult on this	Annual unannounced spot checks added to consultation document	Accepted
General	Recommends that REAL may like to look at even more than two audits each year for higher risk members - the risk could be based on product testing performance	We think this would be a good change and improve robustness but we would like to consult on this and consider other risk criteria	Risk-based spot checks added to consultation document	Accepted
General	Recommends REAL looks at investigative audits and the costing/payments for them - is it fair the producer has to pay if no evidence/can't be proved they produced a not to spec product	We will follow up with certification bodies following publication of new version of Scheme Rules	Clause removed	Accepted
General	Recommended REAL consider a different system for product testing (producers currently take their own samples for testing)	New requirements have been added to PAS 100 but we are considering additional checks on the sampling procedure and we would like to consult on this	Clause added to consultation document as a requirement for inspectors to witness sampling during the annual audit	Rejected
General	Recommends REAL write into their rules that if a producer receives a complaint about their product, they must notify their CB immediately AND they must hold onto the offending product (it must not be reworked)	Agree	Requirements for notifying certification bodies and compost under investigation added to consultation document	Accepted
General	Waste recovery returns - report on waste data and returns the amount of waste recovered. This may be something that could be undertaken yearly or on quarterly waste returns if the waste return format was amended to capture the rate of recovery more accurately. There should be records kept as to dispatch from site and how much with indication of the analysis and tonnage applied. Data/records on throughput (PAS process, non-PAS process, rejects, other) and data/records on output (PAS compost - pg and ag, non-PAS compost, other)	No comment	Clauses for data collection added to consultation document	Accepted
General	Consider specifying maximum time for certification bodies to provide operators with non-conformance lists prior to certificate expiry	No comment	Clause with maximum timeframe added to consultation document	Accepted
Draft Scheme Rules v8				
General question	Question: will REAL be producing a document to help compost producers comply with the CCS requirements. The document which REAL produced on the last version of the scheme rules helped clarify some of the technical aspects of PAS100 and the CCS Scheme Rules.	We will continue to update the CCS technical guidance	n/a	Accepted
4.1.11	REAL's Compost Certification Scheme is aligned? Aligned with what? We don't understand this clause.	Agree	Removed 'is aligned and'	Accepted
4.2.3	We would question the benefit of yet more certification. As an operator, we believe the existing certification scheme is more than adequate and the introduction of a further scheme just adds more bureaucracy and cost.	This quality assurance 'scope of certification' won't affect the existing certification but will provide an opportunity for other operators to join the CCS if they do not want to achieve end of waste status. Clarification provided directly to operator.	n/a	Rejected
4.2.3	Certification options: Compost producers can choose to apply to the Compost Certification Scheme under three different scopes of certification. We support the addition of 'Compost Certification Scheme Quality Assurance' (CCS QA) as it gives all composters the opportunity to operate under an quality assurance scheme. However we feel it should made clear that material produced will retain waste status under this option, both in the name of the option in the scheme rules, on the certificate and in any online listing of operators. Mostly to avoid any confusion with this option.	Good point and good suggestions	Text added to the relevant clause in the Scheme Rules to state this and further information will be considered for the CCS website etc.	Accepted
4.2.3 & 4.2.4.	Compost producers can choose to apply to the Compost Certification Scheme under three different scopes of certification: a) 'Compost Certification Scheme Quality Assurance' (CCS QA) - We support this and gives all composters the opportunity to operate under an quality assurance scheme.	No comment	n/a	Accepted
4.2.14	Certified contractors - We are unsure to what certification scheme for contractors this applies and do not have enough information about the robustness of these schemes to determine if this would be beneficial or workable for compost producers. Would this really make a difference to best practice application of composts? Our members feel that making this a requirement is unduly restrictive. In many cases the compost producer supplies material to farmers who may spread it themselves or may use contractors and this is beyond the control of the compost producer. When compost is supplied to an external customer the agreement in place includes use of the compost but it would be difficult to impose on customers who they must use to spread their compost. Additionally, the text does not state which scope/scopes of certification are recommended nor instead does it broadly describe what scope of certification is recommended. Why is certification recommended for 3rd party contractors but not when the compost producer spreads his/her compost? Contractors do not require to be certified for spreading artificial fertiliser or even waste products so introducing this requirement could distinguish compost as a higher risk product and damage the hard established market. For these reasons we do not support this clause. We are very concerned that proposal 1a would hold back producer certification when a third party contractor doesn't have a suitable certification.	More information should have been provided with the consultation document about the NAAC contractors assurance scheme but all of these points are valid. Confirmed name of the certification scheme with the organisation that submitted the consultation response. We take on board these comments but recommend that operators contract with an assured/certified/approved company when supplying directly to a third-party contractor.	Moved the recommendation into the technical guidance document with reference to COGAP and a requirement for a declaration form in place.	Accepted
4.2.14	Needs to be clear who this is applies to & what is required. If compost goes to the end user eg farmer and they employ a contractor to spread, then this can't be checked by the compost producer. Is this what the clause is for or is it for large contractors who take compost from a number of sources and distribute it to a number of end users. More details or examples of the independent certification this refers to are needed. Will this really make a difference to best practice application of compost material.	This clause only applies to composters supplying directly to third-party spreading contractors. More information should have been provided with the consultation document about the NAAC contractors assurance scheme but all of these points are valid. We take on board these comments but recommend that operators contract with an assured/certified/approved company when supplying directly to a third-party contractor.	Moved the recommendation into the technical guidance document with reference to COGAP and a requirement for a declaration form in place.	Accepted
4.2.14 & 4.2.15	We would prefer option 4.2.15 stating recommends rather than requires as we do not know which certified schemes this refers to.	More information should have been provided with the consultation document about the NAAC contractors assurance scheme.	Moved the recommendation into the technical guidance document with reference to COGAP and a requirement for a declaration form in place.	Accepted
4.2.14 and 4.2.15 (Proposals 1a and 2a)	We (File Resource Solutions) do not employ 3rd party contractors to spread compost. The farmers that buy/take our compost either spread it themselves or THEY may use 3rd party contractors. We presume that this proposal means if THEY use 3rd party contractors, then there is no requirement OR recommendation for THEM to use contractors which are certified by an independent certification body? We feel that it would be inappropriate to force customers to use independently audited contractors. They prefer to spread composts themselves.	That is correct - if farmers use 3rd party contractors, then there is no requirement or recommendation for them to use contractors which are certified by an independent certification body.	Moved the recommendation into the technical guidance document with reference to COGAP and a requirement for a declaration form in place.	Accepted
4.2.14	This clause is unduly restrictive, we supply direct to farms who use other farmers and their equipment to spread. I believe this to restrict our commercial activities, and would ask for this clause to be removed.	This clause doesn't apply if supplying directly to farmers.	Moved the recommendation into the technical guidance document with reference to COGAP and a requirement for a declaration form in place.	Accepted
4.2.15	Of the two options, ORG prefer option 2a with the caveat that the recommendation is only when the compost producer uses a third party contractor directly and not when a compost customer chooses to use a third party contractor. However we don't feel sufficient information, details and justification have been provided to fully support that this is included as a recommendation. We feel this might be better suited for a technical guidance document (that can be updated more easily) and as a recommendation then should not be included in scheme rules.	More information should have been provided with the consultation document about the NAAC contractors assurance scheme.	Moved the recommendation into the technical guidance document with reference to COGAP and a requirement for a declaration form in place.	Accepted
4.2.15	Need clarification on what certification is required for audits and who this applies to - how widely will this requirement be applied. Crucially it cannot be open to interpretation by the Auditor.	More information should have been provided with the consultation document about the NAAC contractors assurance scheme.	Moved the recommendation into the technical guidance document with reference to COGAP and a requirement for a declaration form in place.	Accepted
4.2.15 (Proposal 2a)	This is the preferred option, however it should be noted that the compost producer may not have any control over the spreading contractors.	This clause doesn't apply if supplying directly to farmers.	Moved the recommendation into the technical guidance document with reference to COGAP and a requirement for a declaration form in place.	Accepted
4.2.15	I can accept this clause but would ask that provision be placed for supplying direct to farms that spread their own material.	This clause doesn't apply if supplying directly to farmers.	Moved the recommendation into the technical guidance document with reference to COGAP and a requirement for a declaration form in place.	Accepted
4.2.15	Proposal 2a preferred	No comment	Moved the recommendation into the technical guidance document with reference to COGAP and a requirement for a declaration form in place.	Accepted
5 (Proposal 2b)	This should be a consolidated charge per member tonnage and not per site, so producers like ourselves with 6 certified sites would pay £1500 in total.	The Research Hub Governance Committee considered the comments very carefully. Following a full discussion it was resolved that the fee structure proposed in the consultation is adopted. The research fee is coupled with the certification fee so operators are charged per process as a participant of the scheme with the research projects benefiting each composting process. In light of these comments, the fees and charging mechanisms for the scheme may be reviewed next year.	No change	Rejected
5.4.3	There should be a specified limit on any charges made within a set period and the producers should be entitled to limit any added expenditure. It is unreasonable to expect the producer to cover all costs if they are not involved in the disc ion making process.	This clause reflects the current situation so there is no change	n/a	Accepted
5.7	We totally question the benefit of this and would resist it strongly. The costs to the industry are already high and we do not believe there will be any significant benefit in establishing a research hub.	We consider that the Research Hub is vital for industry growth and the development of the scheme. We will outline the benefits and share potential projects in our newsletter/comms with all operators.	n/a	Rejected

5.7	Research hub fees - our members are very supportive of the research hub in principle and can see the benefits and need for this project. However, in practice many composters are already operating at very tight margins and are very unlikely to be able to pass on an increase in costs to the waste producers (mostly due to long term contracts etc). Some members operate multiple certified processes (either at multiple sites or multiple processes on one site). They feel they would be unfairly penalised by the fees proposed being based on a tonnage per process basis. For example one operator with 5 sites, processing a total of 56,000 tonnes (1 x group V, 2 x group IV, 2 x group III) would pay £4000 if charged per process and £1500 if charged on total tonnage for the business. The revenue generated from the waste is not any greater being processed at multiple sites rather than at a single site. We understand that the current certification fees are based per process and rightly so (to cover auditing costs). We urge REAL to consider this proposal of charging for the total tonnage for a business for the research hub fees. For some members, certification is not optional (those in Scotland for example) and in some cases the fees will be a significant increase to their operational costs that is unavoidable. We have also had a suggestion that Government should be contributing to the Research hub and urge REAL to explore other additional funding options. We would be happy to support REAL in looking for alternative funding options.	The Research Hub Governance Committee considered the comments very carefully. Following a full discussion it was resolved that the fee structure proposed in the consultation is adopted. The research fee is coupled with the certification fee so operators are charged per process as a participant of the scheme with the research projects benefiting each composting process. However, in light of these comments, the fees and charging mechanisms for the scheme may be reviewed next year. We will explore additional funding options to contribute to the Hub.	No change	Accepted
5.7	We support the idea of the Research Hub but are concerned at how much this would cost us with multiple sites	No comment	n/a	Accepted
5.7	Whilst charging for research is justifiable, this charge should be a single charge on total throughput of all sites. If the operator has 3 site each producing 20k, there should be a single charge in group VI not 3 individual charges in group IV	The Research Hub Governance Committee considered the comments very carefully. Following a full discussion it was resolved that the fee structure proposed in the consultation is adopted. The research fee is coupled with the certification fee so operators are charged per process as a participant of the scheme with the research projects benefiting each composting process. In light of these comments, the fees and charging mechanisms for the scheme may be reviewed next year.	No change	Rejected
5.7.2 (Proposals 1b and 2b)	Composters are REALLY up against it, perhaps especially the smaller ones. It really is too much to expect composters to pay much (if ANYTHING) towards the Research Hub. If they don't pay much, then the funds available for research will be too paltry to be useful. Surely if governments are serious about the circular economy, they should be paying for the research to develop the sector further.	We agree that the government should be contributing for the necessary research to develop the sector. Unfortunately there is no government funding available at the moment. In light of these comments, the fees and charging mechanisms for the scheme may be reviewed next year.	n/a	Rejected
5.7.2	Proposal 2b preferred	The research fee is coupled with the certification fee so operators are charged per process as a participant of the scheme with the research projects benefiting each composting process.	Clause revised so that the research fee will only be charged if the applicant is successful	Accepted
7.1 (Proposal 2c)	Sampling during an audit could be restricted due to time constraints, weather conditions, operations on site and material availability.	No comment	Proposal removed and sampling training course under development	Accepted
7.1.1	Sample witnessing during audit - Quite a few of our members were unsure if this clause also required the sample to be sent off for analysis on the day of the audit. We have not interpreted this clause to mean that the sample would need to be tested, but that the auditor would be assessing the sampling procedure only. For clarity - we do not support the requirement for the sample to be analysed (mostly due to operational and timing difficulties). Most of our members are content to demonstrate competency in taking a sample according to sampling guidance but there have been some concerns raised about the additional time that this can take and the impact it could have on the audit as a whole. Some members report that audits can already take up to 7 hours and sample taking can be a lengthy process. In addition for companies operating multiple processes or sites, with one person responsible for sample taking, it seems a waste of time for the auditor to witness the same person taking a sample at multiple audits through the year. ORG support a modified proposal 1c where the inspector can (rather than must) witness a sample being taken (i.e. proposal 2d). It could be that this is something done every 2 years, rather than at every audit (depending on staff for example). Training records covering sampling procedure could also be taken into account when deciding if a witnessed sample is required.	That is correct - the proposal would not require sample testing but only witness of sampling and assessment of sampling procedure. We have considered the comments carefully and do not consider that witnessing of sampling at annual audit should be required in the Scheme Rules but inspectors can choose to request sampling if considered necessary.	Clause on the potential for the inspector to make the decision to witness a sample made clearer. Proposal removed and sampling training course under development.	Accepted
7.1.1 (Proposal 2c)	No charge for what? Inspectors time for witnessing sample collection or for testing (if this is required). As above, time constraints & costs need to be considered. Some audits/auditors already take all day (even on a site that has few N/Cs).	Proposal 2c is 'no charge'	n/a	Accepted
7.1.1 (Proposal 1c)	Does this just involve witnessing the sample being taken to check sampling procedure, or is it to witness sampling and then for the samples it to go for testing? Is the auditor qualified to know that the sampling procedure is correct / gives a representative sample. Time constraints & costs need to be considered. Some audits/auditors already take all day (even on a site with just a few minor N/Cs).	That is correct - the proposal would not require sample testing but only witness of sampling and assessment of sampling procedure.	Proposal removed and sampling training course under development	Accepted
7.1.1 (Proposal 1c)	If testing is required, what tests are required, and what happens if the compost product is not ready for testing i.e. older than the minimum process time or it is too late in the week to send it to the lab. The same question applies to unannounced spot checks.	The proposal would not require sample testing but only witness of sampling and assessment of sampling procedure.	n/a	Accepted
7.1.1	We are not adverse to sample witnessing but wonder if the sample will be sent off for testing. Batches are not always ready for sampling on audit day so the sampling process could be witnessed but the resulting sample would not be from an appropriate batch for testing.	The proposal would not require sample testing but only witness of sampling and assessment of sampling procedure.	n/a	Accepted
7.1.1	Agree with proposal 1c	No comment	n/a	Accepted
7.1.1 (Proposals 1c and 2c)	In principal, we are happy that a sample is taken in front of the auditor. However, we would be less than happy unless he/she was prepared to spend the NORMAL amount of time it takes to collect a representative sample from a large batch. This can take well in excess of an hour (sometimes longer where the compost has clumped together in wet weather) and we would not be happy if the compost sampler was rushed in any way. Basically, we would MUCH prefer Proposal 2c (No change)	No comment	n/a	Accepted
7.1.1	Following our meeting with REAL I now ask how and who samples the compost, in my view this is sufficient. They could be telling me the REAL line I accept but practical inspection they could also just do exactly the same I cant see the advantage and to see this annually I think would be unnecessary, if there was a new person yes. Some sort of REAL training course attendance might be the best route for this.	No comment	Proposal removed and sampling training course under development	Accepted
7.1.1	Proposal 1c preferred	No comment	n/a	Accepted
7.1.7	I don't think a minimum time should be set for audits on site i.e. 4-6 hours as proposed, as auditing should be sampling of records as per ISO 9001 and not a case of having every record, weighbridge ticket, supply document etc checked. Most audits are completed within 3 hours except where further investigation is necessary, then additional time would be expected.	We would like to discuss this further with UKAS	Obtained average audit duration times from certification bodies and requirement added to clause based on UKAS comment	Accepted
7.1.7	Time 1 to 2 hours prep yes, 4-6 hours on site is debatable as you are aware it all depends on record availability, standards on the site, quality of product, management previous failures etc all have a bearing on length of audit.	No comment	n/a	Accepted
7.1.8 (Proposal 1d)	Sample witnessing will take place during inspection to verify the correct sampling procedures are followed.	No comment	n/a	Accepted
7.1.8	Is this not a repeat of 7.1.7	It is the same requirement/proposal included elsewhere in the Scheme Rules (where it would be placed if introduced).	n/a	Rejected
7.1.10	What is the CO?	Certification Officer. This clause was taken from the BCS Scheme Rules.	Abbreviation expanded to 'Certification Officer'	Accepted
7.2.1	This would include tonnage of the physical contaminants removed and rejected loads + compost oversize? Why do they need to know this?	Proposal put forward by Environment Agency and we agree that this data will provide a fuller picture of waste recovery at certified sites.	n/a	Accepted
7.2.2	Could be a question on the inspection checklist or in Renewal Form, maybe latter is better?	Once in Scheme Rules it will sit on inspection checklist	Clause on collecting data on compostable packaging/products has been included	Accepted
7.3 (Proposal 1e)	Unannounced spot checks - what is the purpose of this and will it be for each producer? In effect are there going to be 2 CB inspections each year? Who benefits from this?	The proposal was for each producer so there would be two inspections each year. The benefit would be for the robustness of the scheme and confidence in conformance with the scheme requirements throughout the year.	Removed this proposal and added requirements for risk-based spot checks.	Accepted
7.3 (Proposal 1e)	How unannounced is unannounced - will the site be notified the morning of the spot check/beginning of the week? It needs to work practically and will there be a checklist to complete and how much of the operation / QMS will the inspection cover?	This spot check would be announced 24/48 hours before and would take place to assess product quality only.	Removed this proposal and added requirements for risk-based spot checks.	Accepted
7.3 (Proposal 1e)	Cost of the spot check is -£500 - will this still be charged separately or would it be easier to have the cost included in one annual assessment fee?	If this was required for all producers then I think that would be a good idea to include cost in one annual assessment fee.	n/a	Accepted
7.3 (Proposal 1e)	If the compost producer is not available / on site for the spot check, will the cancellation charge apply?	The spot check would only take place if the producer was available with 24/48 hours notice	n/a	Accepted
7.3 (Proposal 1e)	If there isn't a compost product on site at the time of the spot check, will it need to be repeated and compost producer charged twice?	The spot check would only take place if the producer was available with 24/48 hours notice	n/a	Accepted
7.3 (Proposal 1e)	This is all going to be a huge increase in CCS costs for the operator (hub costs and additional spot check audit)?	Risk-based spot checks are being introduced instead of annual unannounced spot checks so there will only be additional cost for those considered high risk.	n/a	Accepted
7.3	We prefer risk based spot checks as we think this is fairer and more appropriate. However we would ask that 24-48hr notice be given to ensure the Manager can be available and other site activities may have to be postponed for H&S reasons.	Agree	Clause added with notice period of 24-48 hours	Accepted
7.3	Against this clause, this has the real potential to make the whole business unsustainable. It could be argued that we are asking our shareholder to agree to open-ended fees at the discretion of the scheme management.	Risk-based spot checks are being introduced instead of annual unannounced spot checks so there will only be additional cost for those considered high risk.	n/a	Accepted
7.3 (Proposal 1e)	We feel that this is 'over the top' and would cost both the compost producer and certification body a great deal of money, particularly where compost producers are relatively well spaced out, as they are in many parts of the UK. Surely these spot checks should be targeted towards compost producers which are receiving a significant number of complaints about their products.	Risk-based spot checks are being introduced instead of annual unannounced spot checks so there will only be additional cost for those considered high risk. The number of product complaints will be taken into account when considering those at higher risk.	Removed this proposal and added requirements for risk-based spot checks.	Accepted
7.3	Spot checks - good idea based on risk, what will the percentage be?	This will be communicated to the certification bodies	n/a	Accepted

7.3 and 7.4	Whilst we do not oppose the principle of this, we again question the benefit versus the additional cost. The CCS process is already tightly regulated, sampling is witnessed annually in any event, and we monitor quality with our customers on a continuous basis.	No comment	n/a	Accepted
7.3 and 7.4	Spot checks: Our members much prefer proposal 2e for Risk Based spot checks. We feel this option is reasonable and fair. If a producer is having failures throughout the year or complaints then there should be more observations from the certification body. Members have raised the issue of notice for spot check and ask that consideration can be given to other site activities, health and safety and staffing levels. There were questions raised about the fees for the spot checks and what happens if the compost producer is not available or if there is no compost product on site. We do not support proposal 1e and feel this is over the top, unsustainable and without real benefits.	Risk-based spot checks are being introduced instead of annual unannounced spot checks so there will only be additional cost for those considered high risk. The spot check would only take place if the producer was available with 24/48 hours notice.	Removed proposal for annual unannounced spot checks and retained requirements for risk-based spot checks	Accepted
7.4	This should be risk based rather than a set rule as this will incur additional unnecessary costs for producers	Agree	n/a	Accepted
7.4	Definition of Spot Checks needs to include notice period for inspection and an agreement that no additional charges can be levied. Consideration must also be given to other site activities and H&S, ensuring that the operator can refuse entry to site if insufficient staff are available to accompany the auditor	The spot check would only take place if the producer was available	Clause added with notice period of 24-48 hours	Accepted
7.4.1	Could a compost producer end up having 3 inspections by the auditor - annual inspection, unannounced spot check and a risk-based spot check in a single year? i.e. cost of renewal assessment + 2 x spot checks	No, only annual inspection + annual unannounced spot check OR annual inspection + risk-based spot check.	Removed proposal for annual unannounced spot checks and retained requirements for risk-based spot checks	Accepted
7.4.2	Proposal 2e preferred	No comment	n/a	Accepted
7.5.1	Is it acceptable that the auditor could come back with further non-compliances after the audit is finished and the compliance report has been signed by both parties?	Non-compliances could have been missed at audit and identified by the CO later or vice versa, the CO might remove non-compliances later. This is also stated in the CCS checklist.	Clause removed but timeframes for certification added	Accepted
7.5.1	Is it acceptable that the auditor does not explain the non-compliances at the end of the audit and the compost producer only received the compliance report later in the week?	Non-compliances could have been missed at audit and identified by the CO later or vice versa, the CO might remove non-compliances later. This is also stated in the CCS checklist.	Clause removed but timeframes for certification added	Accepted
7.5.5	Audit report - Our members feel that it is not acceptable for an auditor to come back with further non-compliances after an audit is finished and the compliance report has been signed by both parties. This should be completed during the inspection day.	Non-compliances could have been missed at audit and identified by the CO later or vice versa, the CO might remove non-compliances later. This is also stated in the CCS checklist.	Clause removed but timeframes for certification added	Accepted
7.5.5/6	This is too rigid, as if a report comes into the office 5 days after inspection and the CO is on away or has several reports to do with earlier expiry dates then a more pragmatic approach is required.	Discussed further with certification bodies	Clause removed but timeframes for certification added	Accepted
7.5.7	Non-conformances - A member has highlighted that 45 days is tight if after the report is reviewed by the CB Officer they determine that a further sample is required, then a batch needs to be completed and ready for sampling, the sample sent and all results back which can be 5 weeks. We suggest 60 days as long as it is before the certificate expires.	If test results are not available at the time, the certification bodies will not consider this a non-conformance and the certificate will not be withheld on this basis	n/a	Accepted
7.5.7	45 day time limit, we are on 28 at present??	45 days is considered a sufficient maximum amount of time to address all non-conformances	No change	Accepted
7.5.11	Sample witnessing - We do not support this clause	No comment	n/a	Accepted
7.5.11 & 12	Proposal b - should be a shall rather than a requirement	No comment	n/a	Accepted
7.5.11/7.18 and 7.5.12 (Proposals 1d and 2d)	Comments as for Proposals 1c and 2c	No comment	n/a	Accepted
7.5.12	Sample witnessing - We support proposal 2d.	No comment	n/a	Accepted
7.5.12 (Proposal 2d)	Does 'no charge' refer to witnessing sampling procedure?	No 'change' means no change to the Scheme Rules. Sampling would not be required to be witnessed during the annual audit.	n/a	Accepted
7.5.12	Will this clause be removed if proposal 1d is accepted?	This clause would be removed if sampling was required to be witnessed	n/a	Accepted
7.5.12	Proposal 2d preferred	No comment	n/a	Accepted
9	Marks of conformity - A member has highlighted that if a new mark is to be introduced for Scotland then producers who are already using the 'PAS100' mark should also be allowed to continue to use it for any pre-printed bags or paperwork.	Agree	Transition period for use of new conformity marks will be communicated with all operators	Accepted
9.1.4	Is there to be a 'PAS100 Scotland' mark?	'Yes 'PAS 100 Product Scotland'	New marks will be issued with transition period	Accepted
10.2.1	Renewals - As for 7.5.7, we feel 60 days is more practical.	If test results are not available at the time, the certification bodies will not consider this a non-conformance and the certificate will not be withheld on this basis	n/a	Accepted
12.1.3	Is it really practical to have to inform the CB immediately of a customer complaint? Surely this would just be logged in accordance with the requirements as has always previously been the case. Again this is putting more pressure on both the CB and the producer for something that may be quite trivial.	This is true as we were considering customer complaints that needed to be escalated through the CCS complaint procedures and investigated. However, we would like to collect more representative data on product complaints under the scheme.	Additional requirements for producers to record the number and nature of product complaints for certification bodies to collect during the annual audit	Accepted
12.1.9	Complaints - Typo in note, compost needs to be replaced with digestate.	This should remain compost	n/a	Accepted
12.1.10	Investigations - 'vi. whether a Spot Checks Visit or a Spot Sampling Visit are necessary'. Remove Spot sampling visit as this section has been removed from the Rules	This clause relates to product complaints where spot sampling visits may still be required	n/a	Accepted
12.1.10	vi. whether a Spot Checks Visit or a Spot Sampling Visit are necessary. Remove Spot sampling visit as this section has been removed from the Rules	This clause relates to product complaints where spot sampling visits may still be required	n/a	Accepted
12.1.12	Investigations - Typo in point b - composting activity.	No comment	Activity' removed	Accepted
12.1.13	Investigations - Also refers to Spot sampling visit - Where does this fit into the previously described unannounced spot checks and risk-based spot checks? Is it one of these or a new/different spot check?	This clause relates to product complaints where spot sampling visits may still be required	n/a	Accepted
12.1.13	Investigations - Spot checks visit - assume this is the unannounced spot check, which includes a visual inspection of the product this clause refers to a physical inspection - what is this?	This clause relates to product complaints where spot sampling visits may still be required	n/a	Accepted
12.1.13	Also refers to Spot sampling visit - Where does this fit into the previously described unannounced spot checks and risk-based spot checks? Is it one of these or a new/different spot check?	This clause relates to product complaints where spot sampling visits may still be required	n/a	Accepted
12.1.13	Spot checks visit - assume this is the unannounced spot check, which includes a visual inspection of the product this clause refers to a physical inspection - what is this?	This clause relates to product complaints where spot sampling visits may still be required	n/a	Accepted
12.1.15	Investigations - Also refers to Spot sampling visit - Where does this fit into the previously described unannounced spot checks and risk-based spot checks? Is it one of these or a new/different spot check?	This clause relates to product complaints where spot sampling visits may still be required	n/a	Accepted
12.1.15	Also refers to Spot sampling visit - Where does this fit into the previously described unannounced spot checks and risk-based spot checks? Is it one of these or a new/different spot check?	This clause relates to product complaints where spot sampling visits may still be required	n/a	Accepted
12.1.17	Investigations - Also refers to Spot sampling visit - Where does this fit into the previously described unannounced spot checks and risk-based spot checks? Is it one of these or a new/different spot check?	This clause relates to product complaints where spot sampling visits may still be required	n/a	Accepted
12.1.17	Investigations - We feel it is unrealistic for the compost producer and certification body to agree between them how the costs will be settled. Fees for this sort of situations should be outlined by the CB in their Fee schedule. In the event of claim not being upheld, there should be no additional costs for the compost producer.	We will follow up with certification bodies following publication of new version of Scheme Rules	Clause removed	Accepted
12.1.17	Also refers to Spot sampling visit - Where does this fit into the previously described unannounced spot checks and risk-based spot checks? Is it one of these or a new/different spot check?	This clause relates to product complaints where spot sampling visits may still be required	n/a	Accepted
12.1.17	the compost producer and certification body will agree between them how the costs will be settled - unrealistic, the CB should include a set fee in their Fee schedule.	We will follow up with certification bodies following publication of new version of Scheme Rules	Clause removed	Accepted
12.2.2	CB complaint procedure - the CB to provide the compost with their complaint procedure & response timescales	We will follow up with certification bodies following publication of new version of Scheme Rules	n/a	Accepted
Annex 1	Removed section - We understand this going to be included in the Technical guidance along with REALS interpretation of the Rules? Annex 1 is a really useful section and needs to be included somewhere in this document or another formal document. Members have found the previous technical guidance very useful. We also would like the 'what to do in the event of test failures' document to be updated and included with the technical guidance.	Yes it has been included and amended to reflect discussions with industry and new clauses in PAS 100:2018	Annex removed and added to technical guidance document with guidance on actions to take in the event of a failure	Accepted
Annex 1	Removed section - is this going to be included in the Technical guidance along with REALS interpretation of the Rules? Annex 1 is a really useful section and needs to be included somewhere in this document or another formal document.	Yes it has been included and amended to reflect discussions with industry and new clauses in PAS 100:2019	Annex removed and added to technical guidance document with guidance on actions to take in the event of a failure	Accepted
Annex 1	Is the document from Nov 2017 - Actions to take in the event of a test failure - going to be included in the technical guidance?	Yes it has been included and amended to reflect discussions with industry and new clauses in PAS 100:2020	Annex removed and added to technical guidance document with guidance on actions to take in the event of a failure	Accepted