Issued

Required Assessment Procedures

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Executive summary

This document sets out the operational steps and processes (procedures) that are related to the overall establishment and operation of the *tScheme* Assessment process. These procedures are required to be followed by all parties participating within *tScheme* Assessments.

DOCUMENT HISTORY

Status	Issue	Date	Comment	Authorised
tSd	1.00	2002-09-09	First version, tracked under Document Management procedures.	*tScheme* Board
tSd	1.01	2004-07-28	Changes to §§ 23, 29.3.1 and 29.3.2.	*tScheme* Secretariat

CONTENTS

PART 0
INTRODUCTION

1 PURPOSE

This document sets out the operational steps and processes (procedures) that are related to the overall establishment and operation of the Assessment process. These procedures are required to be followed by all parties participating within *tScheme* Assessments.

2 READERSHIP

This document is **required reading** for all those having a role within *tScheme*. These are:

> ➢ **Accreditation Bodies** (who grant Accreditation to Assessors);
> ➢ *tScheme*-**recognised Assessors** (who perform Assessments);
> ➢ **Trust Service Providers** (who offer Electronic Trust Services);
> ➢ **Suppliers** (who offer Electronic Trust Service Components for use in Electronic Trust Services);
> ➢ *tScheme* **representatives** (who are responsible for the operation of the scheme and the continued application and maintenance of these, and other, procedures).

In addition, this document will provide detailed information for other parties, e.g. users of Electronic Trust Services, who wish to achieve a greater depth of understanding about *tScheme*.

Each separate Part of this document states for which of the aforementioned parties that specific Part is required reading. The requirements are summarised in tabular form below. These Parts specifically refer to further *tScheme* documentation all of which is also to be considered as required reading.

This Part of this document is to be read by all.

3   DOCUMENT STRUCTURE

The document is structured into nine discrete and essentially integral Parts, starting with this Part (0), which provides overall information about the document. The other Parts provide the substantial content of the document and establish a logical sequence of procedures that are to be followed in order for *tScheme* to effectively function. Not all participants within *tScheme* need be involved in each Part. The following table establishes which Parts are required reading for which parties. The table is linked to and from the respective Parts, to aid readers in moving between Parts within the document:

Part and Title		Accreditation bodies	*tScheme*-recognised Assessors	Trust Service Providers / Component Suppliers	*tScheme* representatives
PART I	Recognition of Accreditation Bodies	✓			✓
PART II	Recognition of Assessors	✓	✓		✓
PART III	Registering for an Assessment	✓	✓	✓	✓
PART IV	Contracting for an Assessment	✓	✓	✓	✓
PART V	Performance of Assessments	✓	✓	✓	✓
PART VI	Applying for a Grant		✓	✓	✓
PART VII	Ongoing good conduct		✓	✓	✓
PART VIII	Support Procedures				✓

4   GENERAL REMARKS

At the time of publication of this issue of this document *tScheme* operates Assessments leading to two forms of endorsement: the Grant of Approval for an Operational Service and the Grant of *tScheme*-Ready status for Service Components. The document has been written from a perspective of the conduct of Assessments for Approvals, and the terminology generally used reflects this. However, many principles and procedural aspects behind these two forms of endorsement are shared and where this document, and those referred to herein as required reading, makes no distinction between the two, it may be assumed that the same procedures hold for each. Thus, where there is no explicit

qualification to the contrary: 'Trust Service Provider' or any of its recognised diminutives, might relate equally to a Supplier of a 'Service Component'; 'S3A' might refer equally to a 'C3A', etc.

In each Part of this document there is a subject 'applicant'. Precisely who applicants are varies for each set of procedures. Each Part therefore makes clear at the beginning who the applicant is.

Definitions of terms and acronyms not defined in this document may be found in the *tScheme* Glossary of Terms, which itself is **required reading** in order that participating parties understand to the fullest extent the intentions of these procedures.

References to *tScheme* should be interpreted generally to mean the *tScheme* Secretariat, unless specifically otherwise qualified (e.g. *tScheme* Board).

At any time readers of this document may seek clarification and further guidance from the *tScheme* Secretariat.

5 FEES DUE

tScheme may charge fees for the various services it provides. The collection, timing and value of these fees is not addressed by this document but a scale of fees is published on the *tScheme* website and those parties applying for services will certainly be advised fully at the time they make their application as to the nature of any fees and when they fall due.

PART I
RECOGNITION OF ACCREDITATION BODIES

In this Part the term 'applicant' refers to an Accreditation Body.

This Part consists of §6 to §9 inclusive of the whole document.

6   READERSHIP

This part of the *tScheme* Required Assessment Procedures is **required reading** for the following parties and reasons:

 ➢ **Accreditation Bodies** wishing to establish with *tScheme* an agreement for the purposes of accrediting assessors who wish to become *tScheme*-recognised Assessors;

 ➢ *tScheme***'s representatives** who are responsible for establishing with Accreditation Bodies the required agreement.

7   WHY RECOGNISE ACCREDITATION BODIES?

tScheme wishes to ensure that all of its assessors (of Trust Services and their Providers, and of Service Components and their Suppliers) have satisfied its requirements for appropriate skills and experience in order to be recognised as Assessors. For this reason *tScheme* will therefore establish agreements with recognised Accreditation Bodies who can accredit suitably-qualified organisations as fulfilling *tScheme*'s requirements for the undertaking of Assessments of Electronic Trust Services, against the *tScheme* Approval Profiles.

tScheme's requirements for the qualifications and accreditation of assessors are set out in its publication "*tScheme* Assessor Qualifications".

tScheme will accept applications for recognition from any body who is a signatory to the International Accreditation Forum's Multilateral Recognition Agreement (MLA, see http://www.iaf.nu/) and recognised as being competent to undertake Accreditations.

8   ADDITIONAL REQUIRED READING

All *tScheme* Approval Profiles;

tScheme Assessor Qualifications, as above;

Glossary of Terms;

tScheme Code of Conduct;

tScheme Recognised Accreditation Body agreement.

9   PROCEDURES

9.1   Application

Accreditation Bodies may themselves make contact with *tScheme* and apply to become a recognised Accreditation Body, or they may be invited by *tScheme* to make application, depending upon circumstances. It is expected that most potential recognised Accreditation Bodies will have established informal dialogue with *tScheme* prior to the submission of an application.

In either case, a written application to become a recognised Accreditation Body should be submitted to *tScheme* (Secretariat@*tScheme*.org). The application shall state the identity of the applicant organisation, their full contact details plus a specific contact person, their reason for applying for recognition and details of their qualifications and competences supporting their application.

tScheme will review the application and inform the applicant of their decision, possibly seeking additional information where required.

tScheme accepts applications from Accreditation Bodies established in any territory or jurisdiction.

9.2   Preparation of specific qualification document

Once the initial application is accepted *tScheme* will ask the applicant organisation to develop its own interpretation of the document "*tScheme* Assessor Qualifications", in which the applicant should set out their own specific requirements and practices that will be applied to ensure the consistency of accreditation of potential *tScheme* Assessors.

The requirements for assessors do not vary according to whether they are required to perform Assessments for the purposes of Approval or for *tScheme*-Ready status, since they must be capable of performing a full Assessment for the purposes of an Approval, of which an Assessment for *tScheme*-Ready status would be a sub-set. However, an accreditation of an assessor must ensure their ability to perform a full service Assessment.

9.3   Agreement of specific qualification document

The applicant should submit to *tScheme* its specific qualification document, at least when the applicant considers it completed and preferably beforehand when at a late-stage draft status, to ensure that the document fulfils *tScheme*'s requirements and that *tScheme* has an understanding of the specific approach the applicant is proposing.

tScheme and the applicant shall each agree this document before the applicant can be formally recognised by *tScheme*.

9.4   Applicant's project plan

The applicant should submit to *tScheme* its proposed project plan for the development of the *tScheme* 'accreditation scheme'. This includes a staff plan and any required access to specific technical expertise; details of the prospective assessors for Accreditation; and a timetable for the various stages of development including the first 'witnessed' Assessments and target date for the first Accreditation(s).

tScheme and the applicant shall each agree this project plan before the applicant can initiate its programme.

9.5 Formalised agreement

The agreement is formalised and the applicant granted recognition as a *tScheme* Accreditation Body once the final accreditation programme proposal is accepted by *tScheme*, and a contract signed for the development of the specific accreditation scheme.

Each party shall retain a copy of the co-signed document, which shall be available for unrestricted distribution and publication and may be found on the *tScheme* website.

On signing, *tScheme* will add details of the successful applicant to the *tScheme* Register of recognised Accreditation Bodies.

9.6 Obligations upon recognised Accreditation Bodies

Once the agreement is formalised the recognised Accreditation Body shall ensure that all Accreditations performed under the auspices of its *tScheme* recognition abide by the agreed specific accreditation programme. Any changes to the programme that materially affect the process applied when conducting Accreditations shall be agreed with *tScheme* prior to being applied. The programme documentation shall be subjected to effective change control.

Accreditation Bodies shall not perform an Accreditation on an assessor until the assessor has been accepted as an applicant by *tScheme*, and a preliminary agreement has been established between *tScheme* and the applicant.

The recognised Accreditation Body shall advise *tScheme* whenever an Accreditation is completed, supplying the name of the newly-accredited organisation, their contact details and a reference to the specific accreditation award.

The recognised Accreditation Body shall likewise advise *tScheme* whenever an Accreditation is renewed, modified or revoked, supplying the name of the subject accredited organisation, a reference to the specific accreditation award, nature of the change and reasons for it, consequential actions agreed with the Assessor (if any).

PART II
RECOGNITION OF ASSESSORS

In this Part the term 'applicant' refers to an assessor.

This Part consists of §10 to §13 inclusive of the whole document.

10 READERSHIP

This part of the *tScheme* Required Assessment Procedures is **required reading** for the following parties and reasons:

> ➢ **Accreditation Bodies** that have established with *tScheme* an agreement for the purposes of performing the Accreditation of assessors who wish to become *tScheme*-recognised Assessors;

> ➢ **Assessors** wishing to establish with *tScheme* an agreement, for the purposes of performing the Assessment of an Electronic Trust Service and its Provider or of an Electronic Trust Service Component and its Supplier with the objective of being granted the appropriate *tScheme* endorsement, and thus, who wish to become *tScheme*-recognised Assessors;

> ➢ ***tScheme*'s representatives** who are responsible for establishing with *tScheme*-recognised Assessors the required agreement and maintaining the appropriate register information.

11 WHY RECOGNISE ASSESSORS?

tScheme wishes to ensure that all of its *tScheme*-recognised Assessors (of Trust Services and their Providers, and of Service Components and their Suppliers) have:

> ➢ been accredited by a recognised Accreditation Body as satisfying *tScheme*'s requirements for appropriate competence and experience in order to be recognised as *tScheme*-recognised Assessors;

> ➢ been granted, by contract with *tScheme,* a limited licence to use the *tScheme* Approval Profiles and other specified documents (such as the present one);

> ➢ to honour specified limitations with regard to their use of the *tScheme* Approval Profiles;

> ➢ to comply with the *tScheme* Code of Conduct.

By imposing these requirements upon *tScheme*-recognised Assessors, *tScheme* can exert control over the quality and consistency of Assessments performed on behalf of *tScheme* and therefore maintain the confidence of users of Trust Services, and by implication therefore, in the *tScheme* Mark. It also gives *tScheme* the power to apply sanctions in the unlikely event that a *tScheme*-recognised Assessor was not considered to be achieving the level of professional and contractual performance required by its agreement with *tScheme*.

tScheme's requirements for the qualifications and accreditation of assessors are set out in its publication "*tScheme* Assessor Qualifications".

12 ADDITIONAL REQUIRED READING

All *tScheme* Approval Profiles;

tScheme Assessor Qualifications;

Model S3A and Model C3A;

Guidance for Assessments;

Glossary of Terms;

tScheme Code of Conduct;

tScheme Recognised Assessor agreement.

13 PROCEDURES

13.1 Application

Initially, assessors (otherwise referred to as Certification Bodies, although *tScheme* prefers to avoid using this term because of its potential for confusion with 'Certification Authority', etc.) may themselves make contact with *tScheme* and apply to become *tScheme*-recognised Assessors, or they may be invited by *tScheme* to make such an application, depending upon the circumstances. It is expected that most potential *tScheme*-recognised Assessors will have established informal dialogue with *tScheme* prior to the submission of their application.

In either case, a written application to become a *tScheme*-recognised Assessor should be submitted to *tScheme* (Secretariat@*tScheme*.org). The application shall state the identity of the applicant organisation, their full coordinates plus a specific contact person, their reason for applying for recognition and details of their qualifications and competencies supporting their application.

tScheme will review the application and inform the applicant organisation of their initial decision, possibly seeking additional information where required.

13.2 Preliminary agreement

The first stage of the process will establish an agreement between the applicant and *tScheme* that recognises the applicant organisation and grants limited permission for it to use *tScheme*'s Approval Profiles and other specified *tScheme* documents during the course of its Accreditation by one of *tScheme*'s recognised Accreditation Bodies.

Until the applicant has entered into a preliminary agreement with *tScheme* no Accreditation Body recognised by *tScheme* will accept the applicant organisation's request to receive Accreditation for the purpose of performing *tScheme* Assessments. This procedure ensures the protection of *tScheme*'s copyright over its Approval profiles and other documents, and the applicants' commitment to the high standards *tScheme* represents.

13.3 Accreditation

The applicant must now approach a recognised Accreditation Body to seek Accreditation. Recognised Accreditation Bodies shall only accept for *tScheme* Accreditation organisations that are in possession of a preliminary agreement with *tScheme* and that can show that they have the capability to satisfy the *tScheme* Assessor Qualifications.

The course of the Accreditation will follow that set out in the recognised Accreditation Body's specific qualification document, which will have been agreed with *tScheme*.

13.4 Concluded agreement

Once the Accreditation is formalised the Accreditation Body shall advise *tScheme*. *tScheme* shall then invite the applicant assessor to sign its full agreement with *tScheme*. This grants the applicant assessor an extended licence to use the *tScheme* Approval Profiles and other specified documents whilst requiring it to observe the full terms of the *tScheme* Recognised Assessor agreement.

Each party shall retain a copy of the co-signed document, which shall be available for unrestricted distribution and publication. Interested parties will find the *tScheme* Recognised Assessor agreement on the *tScheme* website.

On signing, *tScheme* will add details of the successful applicant to the Register of *tScheme*-recognised Assessors.

13.5 Obligations upon *tScheme*-recognised Assessors

Once the agreement is formalised the *tScheme*-recognised Assessor shall ensure that all Assessments performed under the auspices of its *tScheme* recognition abide by the terms of its contract and license to use *tScheme* Approval Profiles (see the *tScheme* Recognised Assessor agreement). In particular, they shall not perform Assessments for any purpose other than issuing an Assessment Report intended for the purposes of supporting an Electronic Trust Service or an Electronic Trust Service Component being submitted for *tScheme* endorsement.

tScheme-recognised Assessors shall advise *tScheme* whenever an Assessment is renewed, modified or revoked, supplying the name of the subject Trust Service and its Provider (or Service Component and its Supplier where appropriate) and other pertinent details (e.g. nature of the change and reasons for it).

tScheme-recognised Assessors that fail to fulfil their obligations may be subject to sanctions, which could, in extreme cases, lead to them being required to undergo re-Accreditation or even have their recognition by *tScheme* revoked and be removed from the Register of *tScheme*-recognised Assessors. In such cases, any Grants made on the basis of Assessments performed by the Assessor concerned will be permitted a grace period during which their validity will be honoured whilst review is undertaken as to whether the reasons for the Assessor's failure give reason to doubt the basis on which the Grant was made. Where that is the case, a re-assessment will be required to be performed, by a current *tScheme*-recognised Assessor, within a period of three months; otherwise, a re-assessment will be required at the next scheduled review point, again by a currently-recognised Assessor.

PART III
REGISTERING FOR AN ASSESSMENT

In this Part the term 'applicant' refers to either the TSP that delivers the Service being assessed or the Supplier of the Component being assessed.

This Part consists of §14 to §17 inclusive of the whole document.

14 READERSHIP

This part of the *tScheme* Required Assessment Procedures is **required reading** for the following parties and reasons:

➢ **Accreditation Bodies** that have established with *tScheme* an agreement for the purposes of performing the Accreditation of assessors who wish to become *tScheme*-recognised Assessors;

➢ *tScheme*-**recognised Assessors** performing the Assessment of Electronic Trust Services and their Providers or of Electronic Trust Service Components and their Suppliers, with the objective of the subject of Assessment being granted the appropriate *tScheme* endorsement supported by the Assessment Report arising from the Assessment;

➢ **TSPs** planning to have assessed one or more Electronic Trust Services or Suppliers planning to have assessed one or more Electronic Trust Service Components, with the objective of them being granted the appropriate *tScheme* endorsement. Each Assessment shall deal only with one Service or Component. However, it is conceivable and not impermissible that an Applicant might have more than one Assessment being conducted in parallel, and gaining some economy from so doing. *tScheme* would treat each on its own specific merits;

➢ *tScheme***'s representatives** who are responsible for processing registrations and maintaining the appropriate register information.

15 WHY BECOME A REGISTERED APPLICANT?

By registering an Electronic Trust Service or an Electronic Trust Service Component being submitted for Assessment. *tScheme* is able to offer the TSP or Supplier (as applicable) support and guidance to those seeking *tScheme* endorsement of Services and Components.

Registration also ensures that, even before any Assessment commences, the subject of the Assessment has been appropriately scoped and that *tScheme* has established the basic suitability of the Service or Component for the specific endorsement being sought. It, furthermore, enables *tScheme* to be aware of any changes in the nature of Services and Components that are being submitted for Assessment, and, where necessary, to extend the scope of *tScheme* approval to accommodate the types of Services and Components actually being submitted for Assessment.

Finally, if, during the course of an Assessment, any significant changes occur to *tScheme* requirements or procedures, they can be discussed with Applicants and their Assessor so as to determine how best to deal with the changes.

tScheme-recognised Assessors shall not contract for the performance of a *tScheme* Assessment unless the applicant can provide evidence of Registered Applicant status.

During the early stages of an application *tScheme* may offer an introductory consultancy service to provide initial advice and guidance to TSPs and Suppliers.

16 ADDITIONAL REQUIRED READING

All *tScheme* Approval Profiles;

Model S3A and Model C3A;

Guidance for Assessments;

Glossary of Terms;

tScheme Code of Conduct.

17 PROCEDURES

17.1 Outline S3A (C3A) preparation

When an applicant seeks Assessment against any *tScheme* Approval Profile(s) there has to exist a reference document, accessible to all participating parties, that defines unambiguously the Service being assessed.

This reference document is the principal document for the scoping, planning and reporting of an Assessment, and it is the applicant's responsibility to produce it. For a Service this document shall be the Specification of Service Subject to Assessment - the S3A; for a Component the required document is a Specification of Service Component Subject to Assessment - the C3A.

Production of an Outline S3A (C3A) – refer to the Model S3A and the Model C3A, which may be downloaded from the *tScheme* website, for an explanation of how the 'outline' and 'full' forms of these two documents differ - focuses the applicant's attention on the overall Assessment process and brings together the various elements required for a successful Assessment.   These model (i.e. proforma) documents state clearly what the applicant must provide in the S3A (C3A), and also what is NOT required there, and the applicant shall fulfil these requirements when developing their initial Outline S3A (C3A) and when completing these documents (see Part IV, §21.1).

In preparing the Outline S3A (C3A) the applicant shall, in the first instance:

> ➢ Agree with *tScheme* the Public Service Description of the subject of the Assessment (this text will be incorporated into any Grant, and *tScheme* will reject a description that claims any un-assessable characteristics of the Service or Component);

> ➢ Define and agree with *tScheme* the Approval Profiles that are to be applied during the Assessment;

> ➢ Where the document is an S3A, gain *tScheme* agreement that the scope of the Service and the coverage of the selected Approval Profiles that are to be applied during the Assessment would satisfy *tScheme* requirements for a Grant of Approval[1];

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[1]   In the case of a Trust Service being assessed it must, by definition, be required to be capable of satisfying all the criteria within any chosen set of Approval Profiles. It must also fit appropriately within a set of Approval Profiles and not be intending to make any claims for elements of a Service that may extend

> ➢ Where the document is a C3A, gain *tScheme* agreement that the scope of coverage of the selected Approval Profiles and the proportion of their coverage that is to be applied during the Assessment would merit the Grant of *tScheme*-Ready Status[2];

In addition, prior to formally submitting to *tScheme* their application to become a Registered Applicant, the applicant shall:

> ➢ Nominate a *tScheme*-recognised Assessor for the conduct of the Assessment (at this stage, a formal contractual relationship need not have been established between the TSP and the Assessor);
> ➢ Agree with the chosen Assessor an outline timescale for the performance of the Assessment (from which may be inferred a timescale leading to *tScheme*'s appropriate endorsement).

The document shall be maintained by the applicant, under an effective change control process.

17.2 Applying for Registered Applicant status

The applicant shall submit to the <u>*tScheme* Secretariat</u> its request for Registered Applicant status, using either of the proformæ <u>*tScheme* Registered Applicant Request (Service)</u> or <u>*tScheme* Registered Applicant Request (Component)</u>. The request shall be supported by a completed Outline S3A (C3A).

The *tScheme* Board, itself or in delegated committee, will consider all applications at its next scheduled meeting: it may seek supplementary information where it deems appropriate.

Applicants should note that *tScheme* reserves the right not to accept an application that could in *tScheme*'s view, possibly lead to the overall trustworthiness of *tScheme* or the *tScheme* Mark being brought into disrepute. For example, where there may be concerns as to the general standing of a Service or Component or over the Provider or Supplier. The decision of the *tScheme* Board shall be final in all respects relating to the discretionary award of *tScheme* Registered Applicant status. Where the Board determines that it is not appropriate to accept the application it will provide a written justification of its decision.

In the case where an application is declined it will not be possible for the applicant to contract for an Assessment.

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beyond the scope of the chosen Approval Profiles.

[2]   In the case of a Component being assessed it will, by definition, be incapable of satisfying all the criteria within any chosen set of Approval Profiles. This raises the question, given that not all criteria can be satisfied, how many or how few would constitute a meaningful 'mass' of criteria sufficient to make the endorsement meaningful, rather than trivial (if, e.g., a bare number of criteria were satisfied)? There can be no specific, quantitative, answer to this question. The purpose of this step is for *tScheme* to ensure, through an objective and expert consideration of the proposed scope of the Assessment, that the outcome will indeed be meaningful and that the value of *tScheme* recognition will not be diminished by the granting of *tScheme*-Ready status to the specified Component in the event of a successful outcome to its Assessment. *tScheme*'s judgement on this matter does do not deny the right of any *tScheme*-recognised Assessor to determine for themselves that the defined scope does not merit Assessment and to decline to contract with the Supplier.

17.3 Registered Applicant agreement

If the application is accepted, *tScheme* will prepare an instantiation of the *tScheme* Registered Applicant Agreement, incorporating the details submitted by the applicant in its Outline S3A (C3A). This will be sent undated to the applicant, inviting its signature.

After signature by one of its authorised Directors, the applicant shall return the agreement to *tScheme*. *tScheme* will then return a countersigned and dated copy of the agreement as notification of a successful application. The date of the countersigned agreement shall be the date on which *tScheme* Registered Applicant status is granted.

Each agreement shall lapse at the end of the period stated in the *tScheme* Registered Applicant Agreement. A subsequent application may be made in respect of the same or alternative Services, and *tScheme* will consider each application on its merits.

17.4 Rights and Obligations

Once the applicant is enrolled as a *tScheme* Registered Applicant, it will be permitted to use this description in connection with the Service or Component that it is submitting for Assessment. The applicant shall not represent nor construe its *tScheme* Registered Applicant status as a form of preliminary or interim Approval or *tScheme*-Ready status.

In consideration of the endorsement by *tScheme*, the applicant undertakes to complete the full approval process within the specified timescale, as stated in its agreement with *tScheme*. This agreement includes the commitment to comply with the *tScheme* Code of Conduct in all business activities – including but not restricted to the specific Service or Component that is the subject of Assessment.

17.5 Publication of status

Ordinarily, *tScheme* will publish full details of the applicant's status, including the date of registration, on the *tScheme* website (*tScheme*-registered Applicants). This permits interested parties to confirm the applicants' claims regarding their status within *tScheme*. *tScheme* shall, at the applicant's express request, withhold from publication in the register notification of the applicant's application[3]. In the event of this request being made, the applicant may make no public reference to such Registered Applicant status.

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[3]   Some applicants may choose not to publicise their participation until later in the Assessment process, or until a positive Assessment has been achieved, rather than suffer the ignominy of having to withdraw a public declaration of having attempted an Assessment, the results of which were 'unfavourable' or revealing a slippage in their timetable.

PART IV
CONTRACTING FOR AN ASSESSMENT

In this Part the term 'applicant' refers to either the TSP that delivers the Service being assessed or the Supplier of the Component being assessed.

This Part consists of §18 to §21 inclusive of the whole document.

18 READERSHIP

This part of the *tScheme* Required Assessment Procedures is **required reading** for the following parties and reasons:

➢ **Accreditation Bodies** that have established with *tScheme* an agreement for the purposes of performing the Accreditation of assessors who wish to become *tScheme*-recognised Assessors;

➢ *tScheme*-**recognised Assessors** performing the Assessment of Electronic Trust Services and their Providers or of Electronic Trust Service Components and their Suppliers, with the objective of them being granted the appropriate *tScheme* endorsement supported by the Assessment Report arising from the Assessment;

➢ **TSPs** planning to have assessed one or more Electronic Trust Services or Suppliers planning to have assessed one or more Service Components, with the objective of them being granted the appropriate *tScheme* endorsement;

➢ *tScheme***'s representatives** who are responsible for monitoring and tracking the progress of registered applicants' Assessments.

19 WHY CONTRACT FOR AN ASSESSMENT?

tScheme is based exclusively on independent third-party Assessments undertaken against the criteria expressed in the *tScheme* Approval Profiles by *tScheme*-recognised Assessors, which have been accredited against a uniform set of requirements. *tScheme* shall only accept an application for a Grant of Approval or a Grant of *tScheme*-Ready Status if it is supported by an Assessment Report issued by a *tScheme*-recognised Assessor. By establishing a contract with an Assessor the Service Provider or Component Supplier also agrees to the required on-going reviews, which will be conducted at least annually to maintain the validity of any Grant that is awarded by *tScheme*.

The point at which a contract is entered into, and under what terms and conditions, is a matter of commercial judgement for the Assessor and the TSP (or Supplier), so long as *tScheme*'s express procedures are fulfilled.

During the early stages of an application *tScheme* may offer an introductory consultancy service to provide initial advice and guidance to TSPs and Suppliers.

20 ADDITIONAL REQUIRED READING

All *tScheme* Approval Profiles;

Model S3A and Model C3A;

Guidance for Assessments;

Glossary of Terms.

21 PROCEDURES

21.1 S3A (C3A) maintenance

tScheme-recognised Assessors shall not contract for the performance of a *tScheme* Assessment unless the applicant can provide copy of an Outline S3A (C3A) that has been agreed with *tScheme* (this may alternatively be accomplished by reference to the list of *tScheme*-registered Applicants available on the *tScheme* website, where the applicant has not requested non-publication of their registration).

Initially, the description of the subject of Assessment will be in outline form. This document shall be developed into a full S3A (C3A) before the Assessment commences. At some stage between the applicant being accepted as a Registered Applicant and shortly after the full document being agreed, the applicant and its chosen *tScheme*-recognised Assessor shall enter into a contract for the performance of the Assessment.

If, during the course of the Assessment, the S3A (C3A) requires modification it shall be amended and maintained at all stages by the applicant, under an effective change control process, so as to reflect the actual subject of the Assessment. At the conclusion of the Assessment both the applicant and the Assessor shall archive a copy of the final S3A (C3A) so as to retain a formal record defining the actual subject of their Assessment Report.

When preparing the specification of the subject of Assessment the applicant shall be responsible for the fulfilment of all the requirements set out in the Model S3A or Model C3A document (as appropriate).

The Assessor shall be responsible for ensuring that the final S3A (C3A) fulfils the requirements of the above-mentioned 'model' documents and that it accurately reflects the Trust Service or Component that it has Assessed.

21.2 Preparation of an Assessment Report

At the conclusion of a successful Assessment, the Assessor shall produce a signed Assessment Report that reflects the conduct and outcome of the Assessment and provides a certification of satisfaction of the criteria in the selected Approval Profiles.

The Assessment Report shall fulfil the requirements set out in Model Assessment Report. Note that the Assessor may produce a document of their own format and structure so long as *tScheme*'s information requirements as set out in the Model Assessment Report are satisfied.

In the event that a successful report on the Assessment of a Trust Service has qualifications in it, the Assessor shall, by making such qualifications, assert that the Service will be sufficiently trustworthy to satisfy *tScheme* criteria if operated as assessed and furthermore that it will review all qualifications

within a maximum period of six months and shall report back to *tScheme* the outcome of these reviews and any consequential recommended action that is required to be taken (either by the Assessor itself or by *tScheme*).

Assessment Reports relating to Components will, by definition, be qualified in the sense that they do not satisfy all criteria within the Approval Profiles, and hence a qualified report needs to specify Assessment action that must be undertaken when the Assessment Report is offered as evidence in an Assessment for the Approval of a Service that includes the Component.

In the case that the Assessor is unable to issue an Assessment Report declaring a successful outcome to the Assessment, even after the applicant has taken any recommended remedial steps, the applicant shall be unable to apply for *tScheme* endorsement.[4] The applicant must notify *tScheme* if this leads to slippage in the timetable agreed in connection with the grant of Registered Applicant status, or if the application is to be withdrawn.

21.3 Limitations to contract

Through its agreements with both the Assessor and the Registered Applicant, *tScheme* requires that these parties **shall not** contract for a *tScheme* Assessment (i.e. one performed against the criteria set out in *tScheme*'s Approval Profiles) other than for the exclusive purpose of producing an Assessment Report to support the applicant's application for *tScheme* endorsement if the Assessment is successfully concluded.

21.4 Dual role of Assessors

tScheme requires evidence of satisfactory annual audit, undertaken by an independent body, as part of the supporting evidence offered by a TSP or a Supplier when undergoing an Assessment (refer to the Base Approval Profile). *tScheme* will accept that audit being performed by the same body as has been contracted for the performance of a *tScheme* Assessment.

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[4]   In the situation where the Assessment is not successful the full procedural requirements of *tScheme* need not be satisfied explicitly if the applicant elects to terminate the Assessment process, e.g. no Assessment Report need be issued. This entitlement does not affect any contractual obligations between the Assessor and the applicant.

PART V
PERFORMANCE OF ASSESSMENTS

In this Part the term 'applicant' refers to either the TSP that delivers the Service being assessed or the Supplier of the Component being assessed.

This Part consists of §22 to §25 inclusive of the whole document.

22 READERSHIP

This part of the *tScheme* Required Assessment Procedures is aimed primarily at *tScheme*-recognised Assessors, but is intended to be **required reading** for the following parties and reasons:

➢ **Accreditation Bodies** that have established with *tScheme* an agreement for the purposes of performing the Accreditation of assessors who wish to become *tScheme*-recognised Assessors;

➢ *tScheme*-**recognised Assessors** performing the Assessment of Electronic Trust Services and their Providers or of Electronic Trust Service Components and their Suppliers, with the objective of them (collectively) producing Assessment Reports based upon a consistent approach to the application of *tScheme*'s Approval Profiles;

➢ **TSPs** planning to have assessed one or more Electronic Trust Services or Suppliers planning to have assessed one or more Service Components, with the objective of them understanding the processes which lead to being successfully assessed against the criteria in the chosen Approval Profiles;

➢ *tScheme***'s representatives** who are responsible for monitoring and tracking the progress of registered applicants' Assessments.

23 WHY PERFORM AN ASSESSMENT?

In order to be able to make use of the *tScheme* Mark or to claim *tScheme*-Ready status in connection with the use or provision or otherwise of an Electronic Trust Service or an Electronic Trust Service Component, a TSP or Supplier must apply for the appropriate Grant. *tScheme* will only accept an application for a Grant of Approval or a Grant of *tScheme*-Ready Status if it is supported by a recent Assessment Report issued by a *tScheme*-recognised Assessor.

Furthermore, the validity of a Grant is one year, and it will then be renewed annually unless the TSP or Supplier fails to pay its fees or the agreement with *tScheme* is terminated. However, the annual renewal is dependent upon the production, to *tScheme*, of a recent Assessment Report, which in this context should be taken as being less than three months old. Currently, Assessors carry out reviews of the Service for the first two renewals and then a full re-Assessment after three years. The actual scale and scope of the reviews will be covered by the contract between the Assessor and the TSP or Supplier.

It is the responsibility of the TSP to ensure that the Assessor carries out reviews in such a timely manner as to allow submission of renewal reports to *tScheme* one month prior to the anniversary of the initial Grant. If this is not possible then the TSP must notify *tScheme* of the date by which the renewal report will be submitted, which can be no more than one month after the anniversary of the initial Grant, and the reason for the delay. Upon submission of an acceptable renewal report and subject to

payment of the appropriate fees, the validity of the Grant will be extended to the next anniversary of the initial Grant.

An Assessor can only prepare an Assessment Report on what it has seen and on evidence judged for itself, and whilst it is required to exercise professional judgement it cannot be expected to second-guess any aspects of the subject of its Assessment.

24 ADDITIONAL REQUIRED READING

All *tScheme* Approval Profiles;

Model S3A and Model C3A;

Guidance for Assessments;

Model Assessment Report;

Glossary of Terms.

25 PROCEDURES

25.1 Entitlement to perform Assessments

Only those assessors that have been accredited by a recognised Accreditation Body (see Recognition of Accreditation Bodies) and which have become *tScheme*-recognised Assessors (see Recognition of Assessors) shall perform Assessments against *tScheme*'s Approval Profiles.

25.2 Roles and Qualifications

Assessors shall ensure that staff performing Assessments have a sufficient working knowledge of the technology being assessed, and an understanding of:

➢ current TSP industry best practice;

➢ current PKI security issues, as raised in the IT media, technical development forums, workshops, and conferences;

➢ public perceptions and expectations, in particular, the ability to view the subject of an Assessment from the viewpoint of a subscriber or relying party.

Assessors shall not accept a contract to perform an Assessment against *tScheme* Approval Profiles unless, having reviewed the relevant S3A (C3A) for the assignment, they can confidently field an Assessment team that has the experience to address fully all aspects of the subject of the Assessment.

25.3 Assessors' Use of External Experts

Assessors shall also have experts who are specialists in areas where Assessment requires specialist knowledge. Whereas it may not always be practicable to have such experts employed as permanent staff it is reasonable for Assessors to make use of external experts where this is required. However the Assessor shall carefully check such experts for experience and track record. They should be considered to be playing a role similar to that of an expert witness in court, and should be checked

accordingly. The contractual relationship and method of working between an external expert and an assessing body is a matter for the Assessor to decide.

25.4 Approval Profile development

It is *tScheme*'s objective that Assessors shall always use the latest available approved versions of the Approval Profiles. Whilst *tScheme* will not release revisions and developments of Approval Profiles without due process of membership review &c, it remains an Assessor's responsibility to keep track of such developments through liaison with *tScheme*, so as to keep up to date with anticipated changes to the Profiles and to release schedules, since this may affect the scheduling of the Assessment[5].

Where there is a critical timing between an Assessment whose conclusion is imminent and any revisions to Approval Profiles being used in that Assessment, the Assessor may request *tScheme* to grant a waiver to the preceding paragraph where it is agreed that the changes shortly to become current do not materially affect the relevance of the Assessment[6]. *tScheme* will not be under any obligation to grant such a waiver, and each case will be considered entirely on its own merits. Where practicable, and where a waiver is granted, *tScheme* will encourage informal adoption of any changes in anticipation of the formal change.

Assessment Reports must always refer to the issue numbers actually used by the Assessor in completing the Assessment.

25.5 Service Interoperability

The assessment of functional interworking is out of scope of *tScheme* and shall therefore be out of scope of any Assessment. *tScheme* will not issue any Grant that includes wording (transmitted through the Assessment Report) that may lead to an inference of endorsement of any claims of functional interworking, and any such claims should be explicitly excluded in any Assessment Report or Public Service Description.

25.6 Acceptability of other schemes

There are other schemes - international, national and industry-led - that have objectives similar to *tScheme*'s. Where possible *tScheme* will establish Mutual Recognition Arrangements with these schemes – these are dealt with in this document, in §34.1 Mutual Recognition with other schemes.

In other cases *tScheme* may determine that full acceptability of the other scheme is not appropriate to or consistent with the way *tScheme* works. In such cases *tScheme* may determine a degree of acceptability for the other scheme, and will establish which criteria in which Approval Profiles that scheme can be considered to satisfy. It will, furthermore, offer direction to Assessors as to how the results of the relevant qualification should be interpreted during the course of a *tScheme* Assessment.

Where a TSP offers as evidence in support of its SSA (CSA) recognition under another scheme, the Assessor shall accept and treat that evidence as it is indicated by *tScheme*, subject to any qualifications and requirements for validation that *tScheme* may impose. *tScheme* will maintain on its website (see Recognised Schemes) details of other schemes for which it has established acceptability criteria, and its requirements for the interpretation of evidence of approval under those schemes.

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[5]   In particular it may be appropriate to delay an Assessment in order to be able to use an imminent, but not yet available version.

[6]   E.g. editorial changes to an Approval Profile that do not materially affect the nature and applicability of the criteria set out therein.

25.7 External standards and guidelines

Although the main thrust of *tScheme*'s work is to approve the quality and fairness of Trust Services against criteria laid down in its Approval Profiles, *tScheme* will, on request from a TSP or Supplier, also consider for inclusion in a Grant of Approval, or Grant of *tScheme*-Ready Status, explicit endorsement of conformance to recognised externally produced standards or guidelines. Explicit endorsement involves the Assessor taking specific additional action to assess whether the Service or Component conforms to the standard or guideline. If this is successful the Assessor will then endorse the conformance in its Assessment Report and *tScheme* will carry this through into the Grant of Approval or Grant of *tScheme*-Ready Status. This shall only be done on the basis that the appropriate Approval Profile criteria have also been satisfied.

In assessing the suitability of a standard or guideline for explicit endorsement, *tScheme* will evaluate the following factors. In all cases, *tScheme*'s decision is final:

1. Is it genuinely adding value to the *tScheme* Approval Profiles? *tScheme* will not endorse conformance to any standards that lie entirely within the scope of existing *tScheme* Approval Profiles, nor will tScheme endorse other TSP approval schemes;

2. Does it lie within *tScheme*'s remit? The standard or guideline must be specifically related to Trust Service operation at a level directly visible to the Service's subscribers and relying parties. *tScheme* will not explicitly endorse conformance to security standards in general, nor infrastructure technology standards. Nor does *tScheme* approve functional interworking standards, or standards relating to data syntax and semantics;

3. Is it sufficiently widely accepted? It must generally be considered by the Electronic Trust Services community to be of value;

4. Are its contents effectively managed? It must be subject to change control, with effective document management procedures. Further, only the latest approved version of a standard or guideline will normally be considered;

5. Is it acceptable to *tScheme*'s Assessors, and does it lie within their areas of expertise? It must be sufficiently prescriptive in its requirements for a Trust Service for the Assessor, using the skills the Assessor possesses, to be able to reasonably measure a Trust Service against it. *tScheme*'s recognised Assessors will have the final decision on this.

A list of external standards and guidelines already accepted by *tScheme* and its Assessors as being suitable for explicit affirmation can be found at [Recognised Guidelines and Standards](#).

25.8 Determining guidelines' prescriptiveness

In the case of standards, Assessors can expect to find conformance statements against which they can reasonably test the Service, but by their nature, guidelines do not contain conformance statements and do not form a good basis for conformance tests, so whether it is possible to reach a judgement on conformance will necessarily depend on the level of prescription in the guideline. Where they assess against a guideline Assessors need only determine that the Assessment's subject 'follows' the guideline rather than 'conforms' to it, unless strong evidence of conformance can be expressly shown.

If a TSP (or a Supplier) claims to follow a particular guideline, the Assessors shall adopt the following approach to determine whether the claim is acceptable:

1. ask the TSP to identify the particular policy and practice statements that together they believe would, in their execution, satisfy the guideline;

2. ask the TSP to relate these statements to the statements in the guideline they claim to follow;

3. measure the TSP's conformance to the policy and practice statements they have identified - they shall not attempt to measure directly its conformance to statements in the guideline;

4. make the following judgements:

    ➢ for the purpose of conformance assessment, is the guideline sufficiently prescriptive to permit enough of its individual guideline statements to be matched by policy and practice statements? If not, all that Assessors can say, given a positive assessment of the policy and practice statements, is that the TSP has passed Assessment in relation to fulfilling the selected Approval Profiles, hence conformance cannot be claimed in the Assessment Report and thus neither in the Grant. It is now up to the TSP's customers to make their own judgement as to the extent to which the guideline has been followed;

    ➢ if, in the Assessor's judgement, the guideline is sufficiently prescriptive, does the identified set of TSP policy and practice statements give a sufficiently complete and reasonable coverage of it? If so, given a positive assessment of the policy and practice statements, the subject of the Assessment can be said to follow the guideline.

25.9 Reference to external standards and guidelines

Only if the Assessor finds in favour of all the factors outlined in sections 25.7 and 25.8 may the Public Service Description and Assessment Report include a statement that conformance to the nominated standard(s) and/or guideline(s) has been positively assessed.

Most Assessments will require the examination of a wide range of procedures, guidelines, policies and standards, with the objective of ensuring that the Approval Profile criteria are met. These do not have to fall within the rules expressed above.

However, Assessors shall not perform an Assessment where the Public Service Description **expressly claims** conformance to a standard or guideline not acceptable to *tScheme* or its Assessors under these rules.

25.10 Assessments relating to EC Directive 1999/93/EC

In principle, *tScheme* allows a TSP to submit any form of evidence in support of their claim to fulfil the criteria of the Approval Profiles that they have selected. An Assessor that is contracted with assessing Services claiming to offer Qualified Certificates shall ensure that the requirements of [Dir.99/93] are fulfilled. However, where the evidence offered is not in the form of (claimed) conformance to the ETSI standard for CAs issuing Qualified Certificates, [QCP], the Assessor shall determine compliance with [Dir.99/93] by mapping the evidence offered through the clauses of [QCP].

Whether conformance to [QCP] is determined directly or indirectly (i.e. through a mapping, as defined above) the Assessor shall follow the relevant guidance given in [CWA14172]. This document provides guidance on how to assess conformity to the related requirements, and outlines requirements on Assessors who are assessing them.

PART VI
APPLYING FOR A GRANT

In this Part the term 'applicant' refers to either the TSP that delivers the Service being assessed or the Supplier of the Component being assessed.

This Part consists of §26 to §28 inclusive of the whole document.

26 READERSHIP

This part of the *tScheme* Required Assessment Procedures is aimed primarily at assessed TSPs and Suppliers applying for a Grant, but is intended to be **required reading** for the following parties and reasons:

 ➢ ***tScheme*-recognised Assessors** who have prepared the Assessment Report supporting the Grant;
 ➢ **TSPs** submitting a grant application based upon the successful Assessment of their Electronic Trust Service, or Suppliers submitting a grant application based upon the successful Assessment of their Electronic Trust Service Components;
 ➢ ***tScheme*'s representatives** who are responsible for receiving, seeking Board endorsement and subsequently processing the grant application.

27 WHY APPLY FOR A GRANT?

tScheme endorsement in the form of either a Grant of Approval or a Grant of *tScheme*-Ready Status can only be awarded if the applicant submits an application that is subsequently accepted by the [*tScheme* Approvals Committee](#) and the applicant undertakes by contract to abide by the *tScheme* Code of Conduct and other conditions of the Grant. This is the only legitimate route by which an applicant can be granted an entitlement to use the *tScheme* Mark in relation to a Trust Service or claim *tScheme*-Ready status for a Component.

28 ADDITIONAL REQUIRED READING

All [*tScheme* Approval Profiles](#);

[Model S3A](#) and [Model C3A](#);

[Guidance for Assessments](#);

[Model Assessment Report](#);

[*tScheme* Code of Conduct](#);

[Glossary of Terms](#).

29 PROCEDURES

29.1 Submission of a grant application

The applicant shall submit to the *tScheme* Secretariat its grant application, using either of the electronic forms *tScheme* Approval Application or *tScheme*-Ready Status Application. The application shall be accompanied by the following supporting documents:

➢ the Assessment Report, incorporating the mandatory extracts from the S3A (C3A) on which the Assessment is based, issued by the *tScheme*-recognised Assessor who performed the Assessment;

➢ a signed undertaking to abide by the *tScheme* Code of Conduct, should the appropriate Grant be authorised, as included in the appropriate electronic application form.

➢ a signed undertaking to pay the fees associated with the Grant, once it is confirmed by *tScheme*.

29.2 Consideration of an application

After checking by the *tScheme* Secretariat and any inconsistencies having been resolved with the applicant and/or the Assessor, the application will be passed to the *tScheme* Approvals Committee for consideration at its next scheduled meeting. The Committee will ensure that the Assessor is currently recognised and that there is no over-riding reason not to approve the Grant.

The Approvals Committee reaches its decisions with regard for the continuing integrity of the Trust Services market and of the *tScheme* Mark, whilst relying on the Assessor's professional judgements as expressed in the report.

In this context, the Committee will wish to ensure that the Service or Component has not only satisfied the criteria set in the relevant Approval Profiles, as determined by the Assessor, but that the Service and its Provider (or the Component and its Supplier) have the fundamental attribute of being of good standing. It is not in *tScheme*'s interests to accept under a Grant a Service or Component over which there may be concerns as to its general standing that, in *tScheme*'s view, might lead to the overall trustworthiness of *tScheme* or the *tScheme* Mark being brought into disrepute. *tScheme* therefore reserves the right at all stages to refuse the award of a Grant even though the Service or Component has satisfied all criteria.

29.3 Notification of application result

Should the Approvals Committee reject an application, *tScheme* will inform the applicant within 7 days of reaching its decision. In exceptional cases, the applicant may resort to appeal against the decision.

On the decision to approve a Grant, *tScheme* will notify the applicant of its decision and will prepare an instantiation of the Model Agreement Permitting Use of the *tScheme* Mark, which will be sent undated to the applicant, inviting its signature. The agreement will contain the detailed terms and conditions to which the applicant shall thereafter adhere. Acceptance shall bind the applicant to the *tScheme* Code of Conduct and will formalise the Grant.

After signature by one of its authorised Directors, the applicant shall return the agreement to *tScheme*. *tScheme* will then return a countersigned and dated copy of the agreement as notification of a successful application. The date of the countersigned agreement shall be the date on which the *tScheme* Grant commences.

29.3.1 Grant of Trust Service Approval

Once the Grant is formalised, the approved TSP must display the *tScheme* Mark linked to the *tScheme* website, using the URL that will be provided, and may claim *tScheme* approval solely and exclusively in association with the Service for which approval was granted. In support of this, the TSP will receive a signed electronic form of the Grant of Approval certificate, which it may use in support of its claim of Service approval.

tScheme will update its Register of Approved Trust Services by adding details of the newly approved Trust Service(s), and if necessary also adding the TSP if it does not already have Services on the register. This register will appear on the *tScheme* website as an electronically-signed list and will include the following information for each approval:

  ➢ if necessary, the identity of the approved organisation (formal registered name, head office contact details, trading/operating name if different);

  ➢ the specific Service for which the approval was granted (brief description of the Service, any brand name(s), the specific *tScheme* Approval Profiles against which the Assessment was made – including their version, any possible qualifications or conditions to the approval);

  ➢ approval starting date;

  ➢ the Assessor (name as used in the register of *tScheme*-recognised Assessors).

29.3.2 Grant of *tScheme*-Ready Status

For a *tScheme*-Ready Component, once the Grant is formalised, the approved Supplier may claim *tScheme* endorsement solely and exclusively in association with the Component for which the status was granted. In support of this, the Supplier will receive a signed electronic form of the Grant of *tScheme*-Ready Status certificate, which it may use in support of its claim for recognition of its Component.

tScheme will update its Register of *tScheme*-Ready Service Components by adding details of the newly approved Component, and if necessary also adding the Supplier if it does not already have Components on the register. This register will appear on the *tScheme* website as an electronically-signed list and will include the following information for each Component:

  ➢ the identity of the Supplier organisation (formal registered name, head office contact details, trading/operating name if different);

  ➢ the specific Component for which the *tScheme*-Ready was granted (brief description of the Component, any brand name, the specific *tScheme* Approval Profiles against which the Assessment was made – including their version, specific criteria satisfied and any possible qualifications or conditions to the approval);

  ➢ starting date for validity of status;

  ➢ the Assessor (name as used in the register of *tScheme*-recognised Assessors).

29.4 Appointment of the Approvals Committee

The Approvals Committee will be appointed by the *tScheme* Board to provide independent adjudication over grant applications. To ensure impartiality in reaching decisions regarding approvals, the *tScheme*

Approvals Committee will consist of individuals who are neither of themselves nor through their employment Trust Service Providers or Component Suppliers. They may be non-TSP / non-Supplier members of *tScheme*, independent user representatives or other appropriate individuals co-opted from time to time. The *tScheme* Board will appoint the chairman of the Approvals Committee.

PART VII
ONGOING GOOD CONDUCT

This Part consists of §30 to §32 inclusive of the whole document.

30 READERSHIP

This part of the *tScheme* Required Assessment Procedures is aimed primarily at TSPs and Suppliers who have been granted the applicable endorsement by *tScheme*, but is intended to be **required reading** for the following parties and reasons:

➤ *tScheme*-**recognised Assessors** who, having assessed the TSPs and Suppliers concerned, have an ongoing responsibility for auditing these parties and who may become aware of any shortcomings with regards to *tScheme*'s expectations of conduct;

➤ **TSPs** and Suppliers who have, by contract, signed-up to the *tScheme* Code of Conduct;

➤ *tScheme*'s **representatives** who are responsible for oversight of the scheme and dealing with any alleged or apparent infractions of the Code of Conduct.

31 WHY HAVE A CODE OF CONDUCT?

A distinguishing feature of *tScheme* is that it continues to monitor the performance of Electronic Trust Services that have gained Approval, for the duration of such approval, in order to ensure continuous achievement of the high standards that *tScheme* approval requires and implies. It follows that if the value of the *tScheme* Mark is to have any continuity beyond the day on which an Assessment is completed there must be declared requirements for how recipients of an Approval conduct themselves and deliver their Service, as well as *tScheme*'s means to monitor their performance and take remedial steps, should their performance fall short of the standards required.

The same argument applies to Suppliers whose Components have been granted *tScheme*-Ready status.

32 PROCEDURES

tScheme will make regular checks on all approved Services and their TSPs, and on all *tScheme*-Ready Components and their Suppliers, to ensure they remain within the terms of their contract and the *tScheme* Code of Conduct. Where any Service or Component, or their respective Providers or Suppliers, are found to be in breach of their contractual undertaking, *tScheme* may, after consideration of the circumstances, vary the Grant, including exercising its right to suspend or to revoke approval or *tScheme*-Ready status, in the event that the failure to meet the terms of the contract are substantially or continually breached.

The full conditions will be contained in the signed agreement between the TSP and *tScheme*, a model template of which may be found on the *tScheme* website, and which includes the *tScheme* Code of Conduct.

Additionally, *tScheme* will check regularly that no service providers or other parties are falsely claiming *tScheme* endorsement in any form. Should there be evidence that any parties are making false claims, they will be investigated by *tScheme*, and such steps taken as necessary and appropriate to bring to a halt such activity.

Each subject of a Grant will be reviewed at least annually, the scope and depth of such reviews will be determined by the contract agreed with the Assessor when performing the Assessment.

PART VIII
SUPPORT PROCEDURES

33 READERSHIP

This part of the *tScheme* Required Assessment Procedures is **required reading** for the *tScheme* support staff who are involved in the day-to-day operation of the scheme.

34 OPERATIONAL TASKS

34.1 Mutual Recognition with other schemes

tScheme will seek Mutual Recognition Arrangements (MRA) with other schemes where the objectives of the scheme and of its assessments, and the level of rigour applied in the assessment process, are considered to be equivalent. In each case, *tScheme*'s goal will be to establish a single, multi-lateral MRA wherever possible.

Details of all MRAs established by *tScheme* will be found on its website, at Mutual Recognition Arrangements.

The implications for any service that is approved under an MRA with *tScheme* is that that service is considered by *tScheme* to fulfil the same criteria as if it had been assessed against the appropriate *tScheme* Approval Profiles. Should the Provider of such a service wish to seek *tScheme* Approval for the service, that service need not be subjected to further assessment under *tScheme*'s Assessment process: it may instead submit an application supported by its original scheme's approval as a direct substitute for an Assessment report.

REFERENCES

[CWA14172]   CEN Workshop Agreement 14172 Issue "Conformity Assessment Guidance", Parts 1 "General" and 2 "Certification Authority services and processes".

[Dir.99/93]   EC Directive 1999/93/EC on a Community framework for electronic signatures.

[QCP]   ETSI TS 101 456 "Policy requirements for certification authorities issuing qualified certificates", TS 101 456