



Guidance Note 15

Changes to Status of Approved Body

Background

As part of SER's commitment to the Scottish Government we are required to maintain up to date records of all Firms who are designated Approved Bodies under the SER Scheme.

We are aware that Approved Bodies often undergo significant changes, such as acquisitions, rebranding, and/or other re-organisation. Continuity of responsibility is key in these circumstances, and it is important that SER are advised of any significant changes of this nature.

If you are an Approved Body and are considering changes to the status of your firm, you should advise SER at the earliest opportunity to discuss the proposed change(s) to your firm and receive confidential advice in respect of actions required to ensure compliance with the SER Scheme.

Procedure

1. The Scheme Guide states, in section 4.5.15, that Approved Bodies must immediately inform SER of any change to the ownership, status or name of the firm to which the registration applies. Reports shall be made by completing the attached form and sending, by email, to admin@ser-ltd.com
2. Completed forms will be reviewed by SER and the reporter informed of any further action required.
3. In the case of acquisitions, the following will apply:
 - 3.1. SER will review the certification activities of the acquired firm and determine whether an audit of the acquired Approved Body and its Certifier(s) is required.
 - 3.2. The acquired Approved Body will be resigned from the Scheme when a decision has been made on any new body application or when the audit and any required post-audit actions have been concluded (in accordance with 3.1), whichever is the later.
 - 3.3. The Acquiring firm, subject to it being an existing Approved Body or applying to be an Approved Body, will assume responsibility for any audit and audit outcomes in 3.1.
 - 3.4. If the acquiring firm **is not** registered as an Approved Body but wishes to continue to offer certification services it will be required to apply as a new Approved Body.

- 3.5. If the acquiring firm **is not** registered as an Approved Body but wishes to continue to offer certification services while the new Approved Body application is submitted and assessed, this may be done under the acquired Approved Body registration so long as:
 - 3.5.1. Confirmation is received that appropriate PII continues to be in place for certification activities, and that the Obligations of an Approved Body, as required by the Scheme, will continue to be met (see section 4.5 of the [Scheme Guide](#)).
 - 3.5.2. The new Approved Body application is submitted within 20 working days of the firm informing SER of the change of ownership and all requests within the assessment process are completed in a reasonable timeframe.
 - 3.5.3. If these requirements are not met, the acquired Approved Body will be suspended from the Scheme.
4. If the acquiring firm **is** an existing Approved Body and the certification activities of the acquired firm are to be integrated into the acquiring Approved Body, the acquired Approved Body will be suspended from the Scheme until such time that the certification activities (of the acquired Approved Body) are reviewed and the need for an audit determined. If no audit is required, the acquired Approved Body will be resigned from the Scheme. If an audit is required paragraphs 3.2 – 3.3 apply.
5. The acquiring Approved Body (whether existing or new) is responsible for ensuring that any Approved Certifiers transferring to that Approved Body are listed as able to certify for that Approved Body.
6. The Approved Bodies (acquired and acquiring) must ensure that any Approved Certifier certifying for either Approved Body during the acquisition period is adequately protected from financial loss as a consequence of undertaking certification work on their behalf.
7. If further certificates or Form Qs are required for projects certified under the acquired Approved Body, access to the certificate will need to be transferred to the acquiring Approved Body prior to the new certificate/Form Q being generated. Guidance Note 13: Change of Approved Certifier during a project provides more information on this process. Please contact SER via the admin@ser-ltd.com email address to arrange such transfers.
8. In the case of SER receiving concerns regarding the status of a company registered as an Approved Body with the Scheme, SER shall make reasonable endeavours to obtain documentary proof in relation to those concerns. If proof is obtained that the company status has changed, the Approved Body will be suspended until such time that SER is satisfied that matters of concern have been concluded.

November 2023



Change of name or status of Approved Body

Old Approved Body name and number	
New name	
Is the change as a result of a merger/takeover/liquidation/insolvency? <i>If so, please provide details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the legal status of the firm changing? (e.g. from sole practitioner (unincorporated) or traditional partnership (unincorporated) to a limited liability company / partnership (or vice versa)) <i>If so, please provide details</i>	
Yes <input type="checkbox"/> No <input type="checkbox"/>	
Has anything changed since the declaration made by the original Approved Body? (e.g. QA policies / training policies / access to documents policies / number of staff) <i>If so, please provide details</i>	
Yes <input type="checkbox"/> No <input type="checkbox"/>	
Are there any changes to the Officers or those persons with significant control associated with this name change? <i>If so, please provide details</i>	
Yes <input type="checkbox"/> No <input type="checkbox"/>	
Reported by	
Role in firm/Approved Body	
Date	