AENOR Asociación Española de Normalización y Certificación

Collated comments against PT initial Report (N12), including Observations of the PT

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Template for comments and secretariat observations

Date: 2008-03-07	Document: **Comments on BTWG 185 N12 PT Initial Report**

1	2	(3)	4	5	(6)	(7)
PE[1]	**Clause No./ Subclause No./ Annex** (e.g. 3.1)	**Paragraph/ Figure/Table/Note** (e.g. Table 1)	**Type of com-ment**[2]	**Comment (justification for change) by PE**	**Proposed change by PE**	**Project Team observations** on each comment submitted
1	All			We have to decide about product vs. service and make sure that everything in consistent with that.	Use ISO 9000 definition of product, which includes services. Use “product” instead of “products and services” across all the report	Added a new paragraph in introduction explaining the use of “product” as defined in ISO 9000 (includes services). Then removed references to services.
2	All		Ge	We need to add the Italian example.		Partially accepted. Massimo Canducci (Engineering Ingegneria Informatica S.p.A. Direzione Centrale Ricerca e Innovazione, Italy) has been contacted. He has provided information in English about the Italian case, available at http://www.pubbliaccesso.gov.it/english/index.htm. This information has been analysed and some details have been added in table 2 (section 4). The PT has asked for details on the implementation of the legislation and the resulting information will appear in the final report.
3	All		Ge	To have a chapter on testing (as result of today’s discussion)		For the final report The PT has agreed to deal with testing (as part of the “determination” function of conformity assessment) in the final report.

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4	All		Ge	We need conclusions and content pointing out to Phase 2		For the final report. The PT agrees that conclusions are a relevant component of the final report, but not in the initial report.
5	All		Ge	I suggest the team examines the role that a company's quality management system may play in conjunction with other procedures to assure that compliant products are consistently produced and offered for sale. Companies may implement any quality management system, i.e., ISO 9001 or any other one.		For final report It is an interesting subject that will be analysed as part of the discussion on the capacities of suppliers in the final report.
6	2	Title	Ed	CA schemes may be used in a regulatory or voluntary framework. They are not inherently regulatory.	2. Framework for conformity assessment	Accepted
7	2.1	Title	Ed		2.1 Conformity assessment standards	Accepted
8	2.2	All	Te	We need to describe the essential elements of schemes (especially SDoC) to make it clearer.		For final report. This is part of our work in the definitions of dimensions for schemes
9	2.2	Title	Ed		2.2 Definition of conformity assessment	Accepted
9	2.2	Paragraph 1. Last sentence	Ed		It is also assumed that conformity assessment standards may be implemented in different ways in the Member States	Accepted
11	2.2.1	Parapragp 1. Last sentence	Ed		This implies that such a scheme involves three components	Partially accepted. We have added explicit definition of conformity assessment system. The sentence is now: "Typically a conformity assessment involves:"

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12	2.2.1	Paragraph1	Te	The relationship between conformity assessment system and conformity assessment scheme has to be clarified.		We have added additional description of the concepts behind conformity assessments: functions, systems, schemes, …
13	2.2.3	Paragraph 1. First sentence	Ed		The assessment can be carried out in many ways and with varying rigor	Partially accepted: The assessment can be carried out in many ways.
14	2.2.3	Paragraph 2	Ed		Add a sentence: Requirements for testing laboratories are given in EN ISO/IEC 17025.	Accepted
15	2.2.3	Paragraph 4. First sentence	Ed		The definitions of inspection, testing and product certification overlap where these activities have common characteristics	Accepted
16	2.2.3	Paragraph 4. Second sentence	Ed	Competence may be demonstrated by all conformity assessment bodies, not only inspection bodies. Testing laboratories and certification bodies also may have to demonstrate competence to carry out tasks. This demonstration is called accreditation.	However, an important difference is that many types of inspection involve professional judgement to determine acceptability against general requirements. The inspection body may have to demonstrate that it has the necessary competence to perform the task	Accepted
17	2.2.3	Paragraph 4	Te	We have to deal with the implications of the ”may” (introduced by comment 16) and explain the difference “may” and “will” in this sentence. We also have to deal with the brackets.		Rejected. No changes made. After detailed analysis of this paragraph and existing standards, the PT agreed on the existing text.
18	2.2.3	Paragraph 5. First sentence	Te		For design and development of accessibility features in ICT products and services, one or more of the many existing methods for accessibility evaluation can be used	Accepted
19	2.2.3	Paragraph 5.	Te		These methods, aimed at providing feedback to a	Partially accepted.

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		2nd sentence			design team during development and design of a product, are used to detect errors or improve functions	These methods, aimed at providing feedback to a design team during development and design of a product, are called formative methods. Such methods are used to detect errors accessibility problems or improve accessibility.
20	2.2.3	Paragraph 5.	Te	Take a look at: Formative methods can of course be applied by the manufacturer during the development phase in order to ensure that the specified requirements will be met		For final report. We will deal with the issues of formative vs. summative methods in the final report.
21	2.2.3	Paragrahp 5. Last sentence	Te		Moved text from tools	Rejected. Tools are not only for formative methods.
22	2.2.3	Paragraph 6. First sentence			To assess conformity of ICT products to accessibility requirements, other methods, called summative methods, are aimed at determining if a product meets some set of specified requirements.	Partially accepted. To assess conformity of ICT products and services to accessibility requirements, other methods, called summative methods, are aimed at determining if a product meets some set of specified requirements.
23	2.2.3	Paragraph 7		We have to deal with this paragraph on tools. Make it longer and more explanatory.		For final report.
24	2.2.3	Paragraph 8		Debate accessibility vs. usability. To be discussed later.		For final report The inclusion of usability concepts is being discussed by the PT

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25	2.2.3	Paragraph 8 (and maybe others)		2.2.3 Assessments In 2.2.3, it is not correct to say simply that usability testing is formative and usability inspection is summative. Both testing methods can be used as part of either a formative evaluation or a summative evaluation. In fact, some 'usability inspection' techniques, such as cognitive walkthroughs and heuristic evaluation, are arguably more suited to formative than summative testing. Task-based user testing, on the other hand, is arguably the only way to determine conformance to some functional criteria. However, the two testing methods have different aims, involve different procedures and produce different outputs depending on whether they are being used for formative testing or summative testing. Because conformance is a claim about a released product or service, summative conformance testing must be carried out at the end of the development process, on a fully functioning finished product. In contrast, formative testing is performed throughout the development process, from the earliest stages, on prototype or incomplete products. The procedures required for usability testing or inspecting incomplete products are necessarily different from those that can be used with fully functioning finished products. The different aims of formative and summative tests also call for different procedure and also different outputs. Formative testing aims to provide developers with insights to guide the development process, so procedures are geared towards producing insight, particularly at earlier stages of the design process when broader design decisions are being made. Summative testing aims to determine whether the product or service meets the conformance criteria, so procedures are geared towards producing more precise performance measurements. This distinction is important in light of the common claim		For final report We take notice of the issues about the simplification that is made in the initial report. If usability concepts are kept for final report (see above), then a clarification on summative and formative usability methods will be made.

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				that third party certification testing increases costs by replicating the testing that is done internally by suppliers. This is not entirely true. Summative third party certification testing may well replicate the summative testing done by suppliers but not the formative development testing, which is often most of the testing carried out. Some suppliers, particularly small and medium sized companies may find it more cost effective to outsourcing summative conformance testing to an independent third party, thus reducing the need for them to develop resources in this specialised area and leaving them to concentrate on the formative development testing.		
26	2.2.3			Assessment: not sure about the introduction of usability		For final report. See the above two comments.
27	2.2.4.2	Paragraph 1		Suggest deleting because this is already mentioned in 2.2.4.1	A supplier's declaration of conformity is a first party attestation that may be compliant to the standard EN ISO/IEC 17050.	Accepted
28	2.2.4.2	Paragraph 2 and list		This describes variations of supplier's declaration and do not add much value to this discussion.	Remove text	Accepted
29	2.2.4.3	Paragraph 1	Ed		A second party declaration is an attestation of conformity, issued by a second party, usually the buyer or user of the product	Accepted
30	2.2.4.4	Title			Third party declaration or Certification	Partially accepted Third party declaration or (certification)
31	2.2.4.5			In addition, other very important difference between these two concepts is with regard to time dimension. Inspection assures that an item meets the requirements in a determined moment.		Accepted partially. We need to clarify. See below (comment about table)

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				Certification grants confidence that an item meets now and in the future the requirements.		
32	2.2.4.5			The last comment concerns the rapid and frequent changes of certain ICT products, i.e. Website contents. In these cases, inspection cannot assure the accessibility along the time; the product certification is essential.		Accepted partially. This is the type of reasoning that we have to do in final report.
33	2.2.4.5			To include the table on the differences between inspection and certification		Accepted A table on the differences between inspection and certification has been added. This table appears in "IAF/ILAC-A4:2004. Guidance on the Application of ISO/IEC 17020" by the International Accreditation Forum
34	2.2.4.5			In 2.2.4.5, it would be helpful to define "products in use". Presumably, this means an actual instance of a product type, for example "this PC on my desk", rather than the general "PCs of the make and model of this one on my desk"?		Accepted A definition of products in use has been added: "individual instances of a product, purchased and used by a customer". This issue will be revisited in the final report, as there are other definitions available.
35	2.2.4.6			Accreditation recognizes not only the technical competence, but the independence and impartiality		Accepted Added "impartiality" to the last sentence.
36	3.1	Paragraph 6		We think the principle of proportionality is essential; this concept has been applied in different European directives (i.e. medical devices).		Partially accepted. Changes made to this paragraph to accommodate

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				More important is the accessibility in an item, more demanding is the method to prove. This means, it would be very appropriate to set up a levelled scheme that requires different ways of conformity assessment depending on the product or service.		the ideas presented by AENOR.
37	3.2	Paragraph 12	Te	In 3.2, the paragraph starting “In paragraph 5…” does not seem to be correct. The explanation of the quote does not seem to say the same thing as the quote.		Rejected After detailed review, the PT thinks that the explanation is correct. However, an additional analysis on the subject will be carried out for the final repot.
38	3.3	Paragraph 2		In 3.3, paragraph 2, the meaning of the legal decision is difficult to understand. Does it mean that the fulfilment of a requirement must be verified?		Rejected The PT agrees that the current explanation is good enough for the initial report. This issue will be revisited in the final report.
39	3.3	Paragraph 6		In 3.3, paragraph beginning “From Article 23 paragraph 4…”, insert “to the satisfaction of the contracting authority” after “prove” in the last sentence.	The tenderer has the option to use another method for proof, provided he can prove to the satisfaction of the contracting authority that it gives equivalent results	Accepted
40	4	Table	Te	Regarding the Type of Scheme in the table, we would like to point out that AENOR is accredited and fully independent.	Accredited third party	Accepted
41	4	Table		Not sure about the purpose of the table. Explanation is required. Only 3 SDoC. It seems misleading.	We have to introduce the table	Accepted. The PT has provided a new introductory text for this section, explaining the goals

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						of table 2. In the final report the table will be changed to provide better information.
42	4			Comments on the table. Introduction is needed. Clarification of terminology. W3C is a different thing		Accepted W3C is now out of table 2. For explanation of table 2, see above comment.
43	5	Paragraph 1. Last sentence.			These schemes do not conform to the EN ISO 17020 and/or EN 45011 standard, since the organisations are not independent, they offer consulting services and do not specify their assessment methods.	Partially accepted These schemes do not conform to the EN ISO 17020 and/or EN 45011 standard, since the organisations are not independent, i.e. they offer consulting services, and do not specify their assessment methods.
44	5	Paragraph 5		**Input from contributor 1** My answer is based on my understanding of SDoCs; 1. it is a suppliers declaration of conformance on how a product meets a requirement 2. it includes a signature from an individual asserting personally that the information contained within the SDoC is true, 3. that it provides "yes/no" answers to each provision of the standard it is addressing 4. a company can contest a competitor's claim 5. that the authority that holds the SDoCs can investigate such claims and reject any found to be untrue	The Voluntary Product Accessibility Template (VPAT), which covers a wide range of ICT products, is **not** a typical supplier's declaration of conformity	Partially Accepted. The sentence now says that VPAT is not a typical SDoC. More text has been added after that sentence: "SDoC is a first party attestation, per ISO/IEC 17000, that is, it is a statement, based on a decision following a first-party review, that a product meets specified requirement and that this has been demonstrated. While VPATs

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				While VPATs (Voluntary Product Accessibility Templates) share some of the overarching functionality, there are differences; primarily because public VPATs are basically marketing information 1. it is an original equipment manufacturer (OEM)/publisher statement of how a product addresses a requirement (standard provision) 2. VPATs are not endorsed by an individual - it is implied to be a manufacturer/publisher statement 3. answers to specific provisions can be very soft - not clearly a yes or no 4. companies can only contest competitors claims indirectly, usually as a part of a procurement action 5. GSA cannot arbitrate claims by one company against another. Companies participating in the Buy Accessible Product and Services Directory (previously know as the Data Center) are expected to be truthful in their representations and only blatant misstatements (such as including a competitor's product name in their documentation to influence searches or changing the wording of a provision) are demanded to be remedied. Anything that would require a technical evaluation of a claim is outside of scope. VPATs have multiple uses. The first is for use in market research and the second set of bullets above list the limits to their usefulness. However, if a Federal agency requires VPATs as a part of a proposal a company must submit if they want to be considered for a government contract with that agency, then they claims they make become more enforceable in that instance alone. VPATs provided to an agency are enforceable by that agency but not the rest of the Federal government. **Input by contributor 2**		(Voluntary Product Accessibility Templates) share some of the overarching functionality, there are differences; primarily because public VPATs are basically marketing information. For the VPAT, suppliers (or manufacturers) disclose to what extent the product addresses requirements, but they don't provide a clear yes/no answer for each requirement and for the global accessibility of the product. In public procurement, VPATs are mainly used by procurers to guide them in learning what is available in the market. Another relevant difference between SDoC and VPAT is based on the consequences of untruthful content. With SDoC, a company can contest a competitor's claim and the authority that holds the SDoC can investigate such claims and reject any found to be untrue. On the other side, with a VPAT, companies can only contest competitors' claims indirectly, usually as a part of a procurement action and the

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				SDoC is a first party attestation, per ISO/IEC 17000. Also per ISO/IEC 17000, an attestation is a statement, based on a decision following a review, that a product meets specified requirement and that this has been demonstrated. Underlines are mine, not the standards'. [By the way, many of us agree that the word "attestation" is an odd one but it was the best to express this generally new concept.] According to ISO/IEC 17050 Part 1, SDoC is used when it is necessary to show that a product meets specified requirements. In fact, certification and SDoC have a lot in common. The big difference is that there is no 3rd party involved in SDoC but the steps to demonstrate conformity are (or should be) very similar. The manufacturer should take all necessary steps to be sure that its declaration of conformity is truthful. For the VPAT, suppliers (or manufacturers) disclose to what extent the product addresses requirements. The usefulness of VPAT for public purchasing officials is that the information is in a standardized format and it is thus easier to compare different products. Public purchasing officials use VPATs to guide them in learning what is available in the market. The requirements that pubic purchasing officials use in their requests for proposals or their contracts vary. They may incorporate or cite the VPATs or they may not.		authority cannot arbitrate claims by one company against another (except for blatant misstatements, such as including a competitor's product name in their documentation to influence searches or changing the wording of a requirement).”
45	5.3	First sentence		German industry association. Clarification needed on Our work vs. M/376.	PT Experts will provide text input.	For final report. This explanation will be added in the final report.
46	7	Title			7. Complementary approaches to conformity assessments	Accepted

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47	7.1	Beginning		To provide a short explanation (one sentence) of market surveillance		Partially accepted. Explanatory text on market surveillance in the European context has been added.
48	7.1	Paragraph1			Market surveillance, when carried out by governments, could be regarded as an enforcement activity that supplements alternative to the assessment of conformity to requirements that is made before the product is placed on the market, as laid down in harmonized standards. Market surveillance is a tool that is usually used in conjunction with other conformity assessment procedures to ensure compliant products.	Accepted
49	7.1	Paragraph 1. Last sentence			Market surveillance is a tool for the enforcement of New Approach Directives that is carried out after the products are on the market	Accepted
50	7.1	Last paragraph		Market surveillance is not an alternative to conformity assessment		Accepted. We remove the last paragraph.
51	7.2, 7.3, 7.4	All		We have to make a better explanation of these approaches. We will remove the reference to Yamada's input.		Partially accepted. Reference to the paper from Yamada at DATSCG has been detailed and some explanations have changed. However, a detailed revision on these subjects will be done for the final report.

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