

**Certificates of Competence**

**Guidance for applicants**

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| Date of Issue: | | 03 March 2015 |
| Revision Date: | | 08/09/2021 |
| Version Number: | | V8 |
| Document Location: | | FSS website |
| Number of Pages: | | 14 |
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# **Summary**

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| **Intended audience:** | Manufacturers and processors |
| **Which UK nations does this cover?** | This guidance is applicable in Scotland only |
| **Purpose:** | This guidance is designed to assist individuals with their applications for Certificates of Competence in Animal Welfare, which are required for their duties in approved premises. |
| **Legal status:** | This guidance is based on the requirements of The Welfare of Animals at the Time of Killing (Scotland) Regulations 2012 (as amended). |
| **Key words** | * Food law, monitoring and controls * Meat and livestock |
| **Review date** | As necessary |
| **Sunset date** | None |

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# **Revision history**

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| --- | --- | --- | --- |
| **Revision**  **No.** | **Revision date** | **Purpose of revision and page number** | **Revised by** |
| 1 | 3 March 2015 | 1st Draft | Peregrine Pocock |
| 2 | 21 August 2015 | Adapted to new administrative processes for Scotland – all | Elena Gafenco |
| 2.1 | 28 August 2015 | Amendments – P.6, 10, 11 | Elena Gafenco |
| 2.2 | 17 May 2016 | Grandfather rights update – P. 12,16 | Elena Gafenco |
| 3 | 20 December 2016 | Review of all content and amended “Summary of species and activities” tables | Elena Gafenco |
| 4 | 18 August 2017 | Added details in relation to assessment of TCoC holders by FSS; links updated | Elena Gafenco |
| 5 | 01 June 2018 | Review of all content | Operational Delivery |
| 6 | 10 December 2018 | Mainly the addition of charges | Colin Clark |
| 7 | 13 March 2019 | Update links to forms and addition of on farm flow process | Colin Clark |
| 8 | 08 September 2021 | Update fees and payments  Add electronically completion of TCoC and Learning Contracts | Miriam Diaz Galvan |

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# Legal Status

These guidance notes have been produced to explain the legal requirements of the Welfare of Animals at the Time of Killing (Scotland) Regulations 2012 (as amended) – SSI 2012 No. 321 & No. 355. They cannot cover every situation and you may need to consider the relevant legislation itself to see how it applies in your circumstances. If you do follow the guidance notes they will help you comply with the law. Businesses with specific queries may wish to seek the advice of their local enforcement agency, which is Food Standards Scotland (FSS) in approved slaughterhouses and APHA in other cases.

# Introduction

New EU legislation came into force on 1 January 2013. It introduced Certificates of Competence replacing slaughterers licences issued under the Welfare of Animals (Slaughter or killing) Regulations 1995 (WASK). Implementing Scottish Domestic legislation also came into force on 1 January 2013.

Within the new legislation, there were transitional provisions that gave grandfather rights to holders of existing licences issued under WASK and to animal handlers and free-bullet shooters who could demonstrate three years’ experience prior to 1 January 2013.

This guidance contains information on how to apply for a Temporary Certificate of Competence, a Certificate of Competence and how to convert a licence issued under WASK to a Certificate of Competence.

# Who should read this guidance?

This guidance is designed to assist both experienced and new slaughterers and animal handlers with the application process for a Certificate of Competence.

Business Operators and Animal Welfare Officers will find the guidance useful in assisting them in ensuring that slaughter operations are carried out by suitably qualified individuals.

Individuals who carry out ancillary operations in a lairage who may handle animals (for example sheep shearers or cattle milkers), but are not otherwise involved in the handling process prior to slaughter do not require a Certificate of Competence. This includes forklift truck operators who do not handle birds directly in poultry premises.

# Legislative References

Part 2 of The Welfare of Animals at the Time of Killing (Scotland) Regulations 2012 sets out which operations require a Certificate of Competence and the conditions for issuing a Certificate of Competence:

<http://www.legislation.gov.uk/ssi/2012/321/contents/made>

The conditions reflect the requirements for Certificates of Competence as set out in Article 26 of Regulation (EC) 1099/2009:

<http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009R1099>

# Glossary

The following terms and acronyms are used throughout this guidance:

CoC – Certificate of Competence

TCoC – Temporary Certificate of Competence

BO –Business Operator

AWO – Animal Welfare Officer

APHA – Animal and Plant Health Agency

FSS – Food Standards Scotland

AV – Authorised Veterinarian (by FSS or APHA)

OV – Official Veterinarian (an FSS Authorised Veterinarian in an Approved Slaughterhouse)

SQA – Scottish Qualifications Authority

FDQ – Food and Drink Qualifications

WASK - The Welfare of Animals (Slaughter or Killing) Regulations 1995 (as amended)

WATOK (S) – Welfare of Animals at the Time of Killing (Scotland) Regulations 2012

# 5. Temporary Certificate of Competence (TCoC)

The form to apply for a TCoC is at Annex 2. This is split in 2 parts: part 1 – the application for a TCoC and part 2 – the actual TCoC, issued by the Authorised Veterinarian.

TCoC’s are issued to BO’s members of staff who do not have the necessary qualifications to hold a full CoC. A TCoC allows an individual to work under direct supervision of a full CoC holder for the species and operations being carried out while carrying out training that will lead to a CoC. A TCoC is issued by an OV in approved slaughterhouses and an AV in other premises. The holder can start work immediately after its issue.

TCoCs are valid for maximum 3 months from the date of issue. During this period the holder will have to undertake training and successfully pass the associated assessment in order to be awarded the Qualification Certificate required for the issue of a CoC.

FSS is an SQA and FDQ approved centre and applicants can choose to be assessed by FSS, providing in-house training is available. At the moment FSS do not train slaughterhouse operatives.

If the centre chosen for assessment is FSS, the OV will request a Learning Contract (LC[[1]](#footnote-1)) to be filled in by the candidate and signed by their manager at the same time the TCoC is issued. TCoCs and Learning Contracts to be filled up preferably electronically where possible. Signature can be either applied electronically or manually.

Both these documents will be send by the OV to [watok@fss.scot](mailto:watok@fss.scot) to enable the candidate to be registered with either SQA/FDQ, as appropriate.

Where FSS is not the chosen assessment centre the applicant must register their intention to train with an approved training body accredited by SQA, FDQ or the Rabbinical Commission, and the OV has to be presented evidence of such registration prior to issuing the TCoC.

Where a holder of a TCoC is unable to obtain a full CoC within 3 months for reasons outside their control, they can apply for a re-issue through the OV in the slaughterhouse or via [watok@fss.scot](mailto:watok@fss.scot), providing the reasoning behind the request. A second TCoC will only be issued in exceptional cases. Each case will be considered on its own merits by a panel from FSS and the Scottish Government Welfare Team, if necessary.

In some cases, FSS panel need not be consulted; please see example C below:

|  |
| --- |
| Re-Issue Examples  A. Jim has been working in the lairage of a cattle slaughterhouse for 2 months with a TCoC for animal handling of cattle, unfortunately he suffered an accident outside of work, breaking his leg. Because he was off work when his assessment was meant to take place he was unable to gain a qualification certificate for a CoC within 3 months of the issue of his TCoC. When Jim applies for a re-issue of his TCoC the panel agree.  B. Donald worked in a poultry slaughterhouse for 6 weeks, hanging broilers on a shackle line for which activity he held a TCoC. He left the job to work on a construction site before being assessed. After the building was finished, six months later, Donald applied to work in the poultry slaughterhouse again. As he was unable to finish his training and pass the assessment under the first TCoC and there were no issues in relation to his performance, the panel agree to have another TCoC re-issued for the same activities.  C. Anne has just been assessed for the activities on her TCoC and found competent. However, this took place only 2 days before the TCoC expires, so it is highly probable that the full CoC will not be issued that quickly. In this case, the plant OV can issue another TCoC for the same activities, until the full one arrives. FSS panel does not need consulted in this case. |

There are five declarations required for a TCoC; the applicant is asked to confirm that:

1. They have not been convicted of a welfare offence in the last 3 years;
2. they have not been previously refused a licence or CoC;
3. they have not had a licence or CoC previously suspended or revoked;
4. the information that they have provided for the TCoC is accurate and true
5. they have not held another TCoC in respect of the same activities and been assessed and found to be incompetent
6. they have registered on an approved training course (inserting the name of FSS or alternative training body eg: SQA/FDQ approved centre) providing evidence to the OV .

Where an applicant cannot confirm a specific declaration, this will not definitely exclude them from a TCoC. In this case the applicant must discuss their individual situation with the Authorised Veterinarian.

The activities and species applied for must be entered in the application form using the codes set out in the Summary of Activities and Species Table. This table is available at **Annex 1**. If you are unsure of the activity or its code, you should seek advice from your Official/ Authorised Veterinarian.

|  |
| --- |
| Activities and Species Examples  C. Jane works in a small poultry slaughterhouse that processes ducks and geese. The plant uses cones to restrain the birds which are then stunned using hand-held electric tongs. Jane undertakes all the activities associated with slaughter including managing the birds in the lairage when they arrive and bleeding them after stunning.  Jane will apply for the codes Q21, Q41, Q42, Q53, P21, P41, P42 & P53.  B. Ahmed works in a sheep slaughterhouse that provide lamb for the halal market using non-stun methods. Ahmed is the designated bleeder at the plant but does not handle the animals otherwise.  Ahmed will apply for the codes C53 & C61. |

# 6. Learning Contracts (LC)

The contract is a collaboratively written agreement between the candidate, the business owner and the assessment centre. The contract provides a statement by the candidate agreeing to complete planned work within the assessment time. The business owner or representative of the business provides a statement detailing discussion around training and that they will support and encourage the candidate to final evaluation by the assessor.

The Learning Contract is the conduit to ensuring registration of chosen activity therefore this must be received along with the TCoC if FSS is the chosen centre.

# 7. Certificate of Competence

The form to apply for a CoC is at Annex 3.

There are two methods of gaining a CoC; either by gaining a Qualification Certificate for the activities and species applied for or through grandfather rights.

A CoC is valid for the lifetime of the current domestic regulations – WATOK(S).

There are four declarations required for a CoC; the applicant is asked to confirm that:

1. They have not been convicted of a welfare offence in the last 3 years;
2. they have not been previously refused a CoC;
3. they have not had a CoC previously suspended or revoked;
4. the information that they have provided in order to obtain a CoC is accurate and true.

Where an applicant cannot complete a specific declaration, this will not definitely exclude them from a CoC. In this case the applicant must discuss their individual situation with the Authorised Veterinarian.

The activities and species applied for must be entered in the application form using the codes set out in the Summary of Species and Activities Table. This table is available at Annex 1. If you are unsure of the activity or its code, you should seek advice from your Authorised Veterinarian.

# 8. Qualification Certificates

A Qualification Certificate is a Certificate granted by a body recognised and regulated by OFQUAL, or a Licence issued by the Rabbinical Commission, after an applicant has successfully completed training and assessment.

If FSS has been chosen for assessment, the candidate/ BO should inform FSS when they have received sufficient training and are confident to be assessed. FSS, in liaison with the assessors OV’s, will arrange for the assessment to take place. Once the candidate was found competent, the assessor will complete all documentation to gather the required evidence. This will be sent to FSS, WATOK mailbox and undergo Internal Verification; the candidate will be resulted once all administrative work completed.

In between completion of successful assessment and issuing if the full CoC, the BO can ask FSS to issue a letter allowing the operative to carry out those specific activities without the need to be continuously supervised by a fully licenced slaughterer or animal handler or an OV. This request should be made in writing to [watok@fss.scot](mailto:watok@fss.scot)

# 9. Grandfather Rights

Grandfather rights mean that an individual is eligible for a CoC without requiring a Qualification Certificate. After 08 December 2015, this only applies to slaughterers who hold a current licence issued under WASK.

Where a WASK licence is used to obtain a CoC the slaughterer must enter their current licence number on the application form and attach a copy of the paper licence. The details on the current licence will be checked by FSS against the activities and species applied for by the applicant.

# 10. Exemptions

A CoC is not required for the following operations where **killing is not for human consumption:**

Emergency killing, where an animal must be killed immediately

Killing in the field by a free-bullet

Killing for the purposes of official depopulation in connection with a notifiable disease

Killing of a bird by cervical dislocation on the premises on which the bird was reared – mind that limits on weight and number of birds/person/day are specified in Regs (EC) 1099/2009.

Killing by a veterinarian (or person acting under their direction) undertaking their professional duties

In addition slaughter of an animal by their owner for his/her personal consumption (outside of a slaughterhouse) is permitted.

# 11. Fees & Payment

No fee is required for a Temporary CoC.

Charges for businesses undertaking assessment from FSS are the OV hourly rate if said OV is attending above any business agreement requirement, along with additional travel time, report writing (if required) and mileage.

The business will be invoiced the charges FSS are charged by the qualification authority, along with a further charge of £25 for the first issue or £8 for an amendment to a CoC or replacement

|  |  |
| --- | --- |
|  | Rate |
| OV – Training/ Assessment, Travel Time, Report Writing – per hour | £42.42 |
| Mileage - per mile | 0.45 |
| FDQ charge - approx. 6 plus units | £70.00 |
| FDQ charge - up to 6 units | £50 |
| FDQ charge - individual units | £11.00 |
| Administration charge - New CoC | £25.00 |
| Administration charge - amendment to existing CoC | £8.00 |

* For slaughterhouses - payment will be requested by FSS once the applications are in, by means of a stand-alone invoice (or added to the routine FSS invoices).
* For on-farm/ knackery slaughter – a £25/ £8 cheque payable to Food Standards Scotland must accompany the CoC application form and Learning Contract.

# 12. Photographs

No photograph is required for a TCoC.

For CoCs a passport sized photograph is required, 45mm tall by 35mm wide and front facing. The photograph must accompany the application.

FSS accept electronic photographs. These should be in JPEG format and of suitable size and quality (above 10KB and below 2 MB). Electronic photographs should be sent to [watok@fss.scot](mailto:watok@fss.scot) with the name and date of birth of the applicant included in the e-mail.

Please ensure you use adequate lighting and a plain light-colour background.

# Annex 1: Summary of Species and Activities Tables

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Red Meat** | Cattle | Calves | Horses | Sheep & Goats | Pigs | Large Game |
| Reference | A | V | B | C | D | E |
| 11.Penetrative captive bolt device (including assessment of effective stunning) |  |  |  |  |  |  |
| 12.Non-penetrative captive bolt device (including assessment of effective stunning) | N/A | up to 10 Kg | N/A | up to 10 Kg | N/A | up to 10 Kg |
| 13.Firearm with free projectile (including assessment of effective stunning) |  |  |  |  |  |  |
| 14.Pithing (including assessment of effective stunning) | Not for human consumption | Not for human consumption |  | Not for human consumption |  |  |
| 16. Percussive blow to the head (including assessment of effective stunning) | N/A | N/A | N/A | Lambs and kids up to 5Kg | Piglets up to 5Kg | N/A |
|  |  |  |  |  |  |  |
| 21.Head-only electrical stunning (including assessment of effective stunning) |  |  |  |  |  |  |
| 22.Head-to-Body electrical stunning (including assessment of effective stunning) |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 31.Carbon dioxide at high concentration (including assessment of effective stunning) | N/A | N/A | N/A | N/A |  | N/A |
| 32.Carbon dioxide in two phases (including assessment of effective stunning) | N/A | N/A | N/A | N/A | N/A | N/A |
| 33.Carbon dioxide associated with inert gases (including assessment of effective stunning) | N/A | N/A | N/A | N/A |  | N/A |
| 34.Inert gases (including assessment of effective stunning) | N/A | N/A | N/A | N/A |  | N/A |
|  |  |  |  |  |  |  |
| 41.the handling and care of animals before they are restrained; |  |  |  |  |  |  |
| 42.the restraint of animals for the purpose of stunning or killing; |  |  |  |  |  |  |
| 43.the shackling or hoisting of animals; |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 52. the assessment of effective stunning (standalone code – on completion of the specific unit) |  |  |  |  |  |  |
| 53.the bleeding of live animals; monitoring the absence of signs of life |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 61.Slaughtering in accordance with Article 4 (4) of Regulation EC 1099/2009 |  |  | N/A |  | N/A | N/A |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Poultry, Ratites and Lagomorphs** | Chicken & Guinea Fowl | Quail | Turkey | Ratites | Ducks | Geese | Rabbits |
| Reference | K | L | M | N | Q | P | R |
| 11.Penetrative captive bolt device (including assessment of effective stunning) |  |  |  |  |  |  |  |
| 12.Non-penetrative captive bolt device (including assessment of effective stunning) |  |  |  |  |  |  |  |
| 13.Firearm with free projectile (including assessment of effective stunning) |  |  |  |  |  |  |  |
| 15.Cervical dislocation (including assessment of effective stunning) | up to 5 Kg | up to 5 Kg | up to 5 Kg | N/A | up to 5 Kg | up to 5 Kg | N/A |
| 16. Percussive blow to the head(including assessment of effective stunning) | up to 5 Kg | up to 5 Kg | up to 5 Kg | N/A | up to 5 Kg | up to 5 Kg | up to 5 Kg |
|  |  |  |  |  |  |  |  |
| 21.Head-only electrical stunning (including assessment of effective stunning) |  |  |  |  |  |  |  |
| 22.Head-to-Body electrical stunning (including assessment of effective stunning) |  |  |  |  |  |  |  |
| 23.Electrical waterbath (including assessment of effective stunning) |  |  |  | N/A |  |  | N/A |
|  |  |  |  |  |  |  |  |
| 31.Carbon dioxide at high concentration (including assessment of effective stunning) | Not in abattoir | Not in abattoir | Not in abattoir | N/A | N/A | N/A | N/A |
| 32.Carbon dioxide in two phases (including assessment of effective stunning) |  |  |  | N/A |  |  | N/A |
| 33.Carbon dioxide associated with inert gases (including assessment of effective stunning) |  |  |  | N/A |  |  | N/A |
| 34.Inert gases (including assessment of effective stunning) |  |  |  | N/A |  |  | N/A |
|  |  |  |  |  |  |  |  |
| 41.the handling and care of animals before they are restrained; |  |  |  |  |  |  |  |
| 42.the restraint of animals for the purpose of stunning or killing; |  |  |  |  |  |  |  |
| 43.the shackling or hoisting of animals; |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| 52. the assessment of effective stunning (standalone code – on completion of the specific unit) |  |  |  |  |  |  |  |
| 53.the bleeding of live animals; monitoring the absence of signs of life |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| 61.Slaughtering in accordance with Article 4 (4) of Regulation EC 1099/2009 |  |  |  | N/A |  |  | N/A |

# Annex 2: Form for application for Temporary Certificate of Competence

# Click here - [TCoC](https://www.foodstandards.gov.scot/downloads/Temp_CoC_Scotland_Oct_2018.docx)

# Annex 3: Form for application for Certificate of Competence

# Click here - [CoC](https://www.foodstandards.gov.scot/downloads/Full_CoC_Scotland_Oct_2018.docx)

# Annex 4: Appeals

Any decision made by FSS regarding CoCs in Scotland may be appealed. The appeal system entitles you to make written representations to and be heard by the Sheriff. If you wish to appeal against this notice you should lodge an appeal with the Sheriff within 28 days of the decision.

More information on how to appeal can be found at the Scottish Courts website at: [Scottish Courts Rules](https://www.scotcourts.gov.uk/rules-and-practice/rules-of-court/sheriff-court---civil-procedure-rules/summary-applications-statutory-applications-and-appeals-etc-rules) through Chapter 2: SUMMARY APPLICATION RULES (4).

# Annex 5: Flow chart of the process

Click here for abattoirs - [Workflow](http://www.foodstandards.gov.scot/downloads/CoC_-_Process_flow_of_Documentation_-_V2_Aug_2018.pdf)

Click here for on farm - [Workflow](https://www.foodstandards.gov.scot/downloads/Certificate_of_Competence_On_Farm_Flow_-_March_2019.pdf)

1. Detail on Learning Contracts at part 6 [↑](#footnote-ref-1)