

***Industry Compliance & Certification Authority of  
South Africa (Pty) Ltd***

**PM02 IMPARTIALITY POLICY**



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## 1. Purpose

ICCASA accepts responsibility for and ensures that its conformity assessment activities are undertaken impartially. ICCASA does not allow commercial, financial or other pressures to compromise impartiality. To obtain and maintain confidence, ICCASA's certification decisions are based on acquiring objective evidence of conformity (or nonconformity) and ICCASA's decisions are not influenced by other interests or by other parties. Impartiality is vital for ICCASA to deliver certification that provides confidence to industry and interested parties.

This policy explains ICCASA's approach to impartiality and describes the risk controls in place in order to prevent partiality in our certification and related activities and therefore sets out ICCASA's management of impartiality in respect of all its conformity assessment activities undertaken as a certification body.

This policy further describes ICCASA's commitment to and understanding of the importance of impartiality in carrying out its management certification activities and also describes ICCASA's management of conflict of interest and its approach to ensuring objectivity of its management system certification decisions.

## 2. Scope

This policy is applicable to all ICCASA personnel involved in conformity assessment activities. The ICCASA Approvals, Appeals, Complaints, Impartiality (AACI) Board in its function as the Impartiality Committee also addresses subcontractors, clients of ICCASA, customers of organizations whose management systems are certified by ICCASA, representatives of industry trade associations, representatives of governmental regulatory bodies or other governmental services, and representatives of non-governmental organizations and covers the management of impartiality in respect of the conformity assessment activities undertaken by ICCASA for certification to ISO 9001, ISO 14001 and ISO 45001.

## 3. Definitions

**Impartiality** - (also called evenhandedness or fair-mindedness) is a principle of justice holding that decisions should be based on objective criteria, rather than on the basis of bias, prejudice, or preferring the benefit to one person over another for improper reasons. Being impartial, and being perceived to be impartial, is necessary for a certification body to deliver certification that provides confidence. To obtain and maintain confidence, it is essential that a certification body's decisions be based on objective evidence of conformity (or nonconformity) obtained by the certification body, and that its decisions are not influenced by other interests or by other parties on the basis of bias, prejudice, or preferring the benefit of one party over another. Therefore, impartiality is the result of the actual and perceived presence of objectivity in certification related activities and decisions.

**Partiality:** On the other hand, partiality is the unfair bias in favour of one person or thing (favouritism). Partiality arises in certification activities when the certification body's decisions are not based on objective evidence of conformity or non-conformity, but instead its decisions are influenced by bias, prejudice, self-interest, and familiarity or relationship threats.

## 4. ICCASA Personnel

All ICCASA personnel, both permanent and subcontracted, who are involved in certification activities and who can influence the ICCASA certification decisions, are required to act impartially and shall not allow commercial, financial or other pressures to compromise impartiality. ICCASA requires both internal and external personnel, to declare any situation known to them that can present them or ICCASA with a conflict of interest. All ICCASA personnel are required to sign the Confidentiality, Impartiality and Non- disclosure Agreement (FRM06).

### 4.1. AACI Board

The AACI Board is committed to impartiality in the ICCASA management system certification activities and has the overall responsibility for monitoring risk controls for managing conflict of interest and assuring impartiality and is responsible for the review of any residual risk in order to determine if it is within the level of acceptable risk. Members of the AACI Board are required to sign the Confidentiality, Impartiality and Non- disclosure Agreement (FRM06).

### 4.2. Certification Manager

The ICCASA Certification Manager is responsible for ensuring that certification activities and personnel involved in certification activities, adhere to the impartiality policy and avoid all conflict of interest and/or partiality in the rendering of their job and delivery of certification services. The Certification Manager is responsible for the process of handling conflict of interests. The Certification Manager gathers information and evidence, ensures that the documented information and evidence is submitted for a decision to the Impartiality Board (AACI Board), documents the proceedings and implements the decisions of the AACI Board.

The Certification Manager is required to sign the Confidentiality, Impartiality and Non- disclosure Agreement (FRM06).

### 4.3. Auditors and Subcontractors

Auditors and subcontractors are responsible for conducting audits which must be objective, impartial, independent and competent. Auditors are required to sign the Confidentiality, Impartiality and Non- disclosure Agreement (FRM06) which requires auditors and subcontractors to disclose all situations of potential conflict of interests with the Client being audited, that could compromise impartiality.

## 5. Overview of ICCASA Impartiality Policy

ICCASA is an impartial certification body which is paramount to the organization's ability to deliver auditing and certification services that provide complete confidence to its customers. To remain impartial and to maintain confidence, ICCASA decisions are strictly based on objective evidence of conformity (or nonconformity), and its decisions are not influenced by other interests or by other parties.

All ICCASA personnel are informed on how to react and manage situations that may pose a threat of real and/or perceived challenges to impartiality. Before, during and after certification activities (audits), ICCASA auditors are required to avoid any fraternization with the audited company personnel and are not allowed at any time to receive bribes, whether monetary or not, from anyone associated with the audited facility or the client soliciting the audit.

ICCASA recognizes the following threats to impartiality and labors to mitigate them at all costs:

- Self-interest threats: arise from a person or ICCASA acting in their own interest. A known concern related to certification, as a threat to impartiality, is financial self-interest.
- Self-review threats: arise from a person or ICCASA reviewing their own work. Auditing the management systems of a client to whom ICCASA provided management systems consultancy would be a self-review threat.
- Familiarity (or trust) threats: arise from a person or ICCASA being too familiar with or trusting of another person instead of seeking audit evidence.
- Intimidation threats: arise from a person or ICCASA having a perception of being coerced openly or secretly, such as a threat to be replaced or reported to management.

## 6. Managing Impartiality

ICCASA is committed to and accepts responsibility for ensuring that all conformity assessment activities, including recommendations for certification, are undertaken in an impartial manner. Any existing relationships between ICCASA or individuals employed by ICCASA or Sub Contractors to ICCASA with other organizations or individuals will be declared, reviewed, documented and risk assessed. ICCASA uses FRM06 forms to determine and assess impartiality related matters.

6.1. ICCASA has top management commitment to impartiality in the recommendation of certification decisions. ICCASA has no relationship (formal or informal) with any other company or organization which may result in a conflict of interest arising from its auditing activities. ICCASA does not offer consultancy to any audit clients or training other than general generic training courses.

6.2. Any conflict of interest arising from existing or past relationships between employees or subcontractors and ICCASA clients (including potential clients), must be declared as per FRM06. All staff and subcontractors are made aware of the need to declare any such conflict of interest. Auditors use the FRM06 document for this purpose. The AACI Board may convene a meeting of the Impartiality Committee to review the activities of the company to ensure that impartiality continues to be maintained and demonstrated. ICCASA will record and use this information as input to identifying threats to impartiality.

6.3. Where a possible or potential conflict of interest is declared - e.g. an Auditor has worked in the past as a consultant or employee of the client - the Auditor will be instructed not to undertake the audit at that client nor will he/she be tasked to undertake any work concerning that client until a minimum of 2 years has elapsed. Even if the 2-year period has passed the relationship between the company and the individual auditor will be evaluated and a decision made as to the suitability of that auditor to undertake the work. Where the conflict of interest is not clear, it is still a requirement of the individual to declare the potential conflict. The Certification Manager will evaluate the nature of that potential conflict of interest and make a decision based upon the individual circumstance and if required, will refer the matter to the AACI Board which functions as the Impartiality Committee.

6.4. ICCASA has a process to identify, analyze, evaluate, treat, monitor, and document the risks related to impartiality and conflict of interest arising from provisions of certification. Where any threats to impartiality are identified, ICCASA documents the event and identifies a mitigation process which includes documenting and monitoring any residual risk in the risk register. Identification of a mitigating action will cover all potential threats that are identified, whether they arise from within the ICCASA or from the activities of other persons, bodies or organizations. The AACI in its function as the Impartiality Committee, reviews any residual risk out of these exercises to determine if it is within the level of acceptable risk.

6.5. As required by ISO 17021, ICCASA will not certify another certification body for its quality management system.

6.6. ICCASA does not offer to provide Internal Audits to any of its clients and shall not certify a management system on which it provided internal audits for a minimum of two years after the completion of the internal audits.

6.7. ICCASA shall not certify the management system of a client that received management system consultancy from ICCASA. ICCASA will not certify the management system for a minimum of two years following the end of the consultancy.

6.8. ICCASA shall not outsource audits to a management system consultancy organization, as this poses an unacceptable threat to the impartiality of ICCASA. This does not apply to individuals contracted by ICCASA as auditors.

6.9. ICCASA does not in its marketing, publications; website, correspondence etc. state or imply that certification would be simpler, easier, faster or less expensive if a specified consultancy organization were used. ICCASA will take action to correct inappropriate links or statements by any consultancy organization stating or implying that certification would be simpler, easier, faster or less expensive if ICCASA were used.

6.9. ICCASA will not use such personnel, either internal or external, that cannot demonstrate that there is no conflict of interests.

6.10. ICCASA shall take action to respond to any threats to its impartiality arising from the actions of other persons, bodies or organizations.

6.11. All ICCASA personnel, Internal or external, or committees, who could influence the certification activities, shall act impartially and shall not allow commercial, financial or other pressures to compromise impartiality.

### **7. Identification of Potential Conflicts of Interest**

ICCASA and certification personnel are committed to avoid any situation that could cause a conflict of interest. This effort covers all potential sources of conflict of interests that are identified, whether they arise from ICCASA or from the activities of any other person/s, such as sub-contractors, bodies or organization/s. Threats to impartiality can be based on ownership, governance, management, personnel, shared resources, finances, contracts, marketing and payment of a sales commission or other incentive for the referral of new clients.

### **8. Measures to Eliminate or Minimize Potential Threats**

Where there are any threats to impartiality, ICCASA shall document such in the risk register and implement measures to eliminate or minimize these threats and document any residual risk. This shall include all potential threats that are identified, whether they arise from within ICCASA or from the activities of other persons, bodies or organizations. Measures taken by ICCASA in preventing situations concerning conflict of interest include:

- Define measures in certification procedures
- Obtain commitment to maintaining impartiality through signing FRM06.

- Ensure that no conflict of interest exists during the selection of the Lead auditor and the audit team
- Immediately investigate the details of any situation that may be perceived as a potential risk to conflict of interest or threat to impartiality
- Performs a Risk Analysis of its certification process at least once annually during its management review or whenever it may be required

### 9. Impartiality in ICCASA Certification Services

#### ICCASA does NOT:

- Provide certification services to any other Certification Bodies
- Provide consultancy services to its certification clients
- Provide internal audit services to its certification clients and shall not certify a management system on which it provided internal audits for a minimum of two years after the completion of the internal audits.
- Provide certification services to any organization where a direct relationship with ICCASA poses a threat to impartiality;
- Outsource audits required by the certification process to any other organization or other management system consultancy organization.

### 10. Impartiality of ICCASA Certification Personnel

10.1. Before providing certification services on behalf of ICCASA, all Certification Personnel, whether subcontractor or permanent are required to sign a confidentiality, impartiality and non-disclosure agreement where he/she commits to disclose to ICCASA any relationship that may suggest a conflict of interest and/or threat to impartiality. Certification personnel who become aware that they have been, in previous times, employed or otherwise associated with an ICCASA Client, will bring this to the attention of the Certification Manager.

10.2. ICCASA shall not certify a client's organization's management system where there is an unacceptable relationship, as defined in ISO/IEC 17021, between any management system consultancy organization and/or any person/organization consulting for such organization. Personnel shall not be used for a minimum of two years following the end of the consultancy.

10.3. All ICCASA employees or subcontracted auditors are not allowed to consult with the client before, during or after the audits. All ICCASA employees or subcontracted auditors are required to sign and submit a confidentiality, impartiality and non-disclosure agreement for

each audit confirming that there is no conflict of interests regarding the audits which he or she is going to conduct and that there are no potential concern/s which needs to be communicated to ICCASA.

10.4. ICCASA shall ensure that personnel who have provided management system consultancy, including those acting in a managerial capacity, do not take part in an audit or other certification activities if they have been involved in management system consultancy towards the client in order to ensure that there is no conflict of interest. To mitigate this threat, ICCASA personnel shall not be used for a minimum of two years following the end of the consultancy.

### **11. Disciplinary Actions**

In order to effectively respond to any threats to its impartiality arising from the actions of other persons, bodies or organizations, disciplinary measures are taken by ICCASA. Such individuals/bodies/organizations will be subjected to disciplinary actions which may include termination of employment/contract, if impartiality requirements are not met. Subcontractors will be subjected to temporary suspension of services, which may include cancellation of contracts, legal action and termination of all relationships with ICCASA, if impartiality requirements are not met.

### **12. Safeguarding Impartiality – Impartiality Committee (AACI Committee)**

The Approvals, Appeals, Complaints, Impartiality (AACI) Committee has the function of managing impartiality through the Impartiality Committee in order to provide independent review and oversight of management system certification activities. The Impartiality Committee is a function of the AACI Board and is responsible to identify, analyze, evaluate, treat, monitor, and document the risks related to conflict of interests arising from provision of certification including any conflicts arising from its relationships. The AACI Board may convene, at its sole discretion, a meeting of the Impartiality Committee to review the activities of the company to ensure that impartiality continues to be maintained and demonstrated.

#### **The principle responsibilities of the Impartiality Committee of the AACI Board include:**

- Guidance in developing the policies related to impartiality of its certification activities
- Counteract any tendency on the part of the Quality Systems, and other registered schemes to allow commercial or other considerations to prevent the consistent objective provision of certification activities
- Provide advice on matters affecting confidence in certification, including openness and public perception, and
- Conduct an annual management review meeting which includes:



- Conduct a review, as least annually, of the impartiality of the audit, certification and decision-making processes of ICCASA.
- At its annual management review meeting, the AACI Board shall review the effective control of the certification activities that are delivered by all parties irrespective of their legal status, relationship or geographical location.
- The impartiality committee shall consider the risk that the certification activities of ICCASA pose to the competence, consistency and impartiality of ICCASA. These inputs will be considered during the annual management review.
- The impartiality committee shall also consider the appropriate level and method of control of activities undertaken including its processes, technical areas of ICCASA's operations, competence of personnel, lines of management control, reporting and remote access to operations including records.