

**Recommendations made by the ACCREDIA Control and Guarantee Committee (CIG) regarding the definition of harmonized criteria for the verification of some requirements of the standard ISO/IEC 17021-1/15, during the assessments and surveillance visits at accredited CBs**

*14<sup>th</sup>. July 2016*

The paragraphs below, taken from ISO/IEC 17021, outline the main definitions related to the recommendations made by the ACCREDIA Control and Guarantee Committee.

Note: although some elements given in the table below are already clearly standardized in UNI CEI EN ISO 17021-1:15, they are stated here with special regard for the question of impartiality.

The requirements of the standard, together with the notes taken from the standard, are referred principally to the issue of conflicts of interests concerning accredited bodies.

Below there are some definitions and paragraphs from UNI CEI EN ISO 17021-1:2015 referring specifically to issues dealt with in the document.

**3.2 Impartiality: objectivity.**

Note 1: objectivity means that there are no conflicts of interests, or that any such conflicts have been resolved and do not impact negatively on the activities of the CB.

Note 2: other terms used to express the concept of impartiality are “independence”, “absence of conflicts of interests”, “absence of prejudices”, “neutrality”, “honesty”, “open-mindedness”, “equity”, “detachment” and “balance”.

**3.3 Consultancy activities related to the management system: participation in the definition, implementation and maintenance of a MS.**

Example 1:  
Drawing up manuals or procedures.

Example 2:  
Providing specific advice, instructions or solutions for the development and implementation of a MS.

Note 1: organizing training courses (\*) and participate as trainer is not considered consultancy provided that such courses deal with MSs or audit activities, providing information of a general nature; the trainer should not offer specific solutions to the client.

Note 2: providing general information, but not specific solutions to the client concerning the improvement of processes or systems, is not considered consultancy. Such information may include as follows:

- explain the meaning and aims of certification criteria,
- identify improvement opportunities,
- explain theories, methodologies, techniques and related instruments,
- share non-confidential information concerning best practices,
- other audited management items which are not covered by the MS

(\*) Note regarding the Italian use of the term “formazione”, not applicable to the current translation n.d.t.

#### **4.8 Risk based approach**

CBs need to take into consideration the risks associated with the act of providing competent, coherent and impartial certification. Risks include (amongst others) as follows:

- the objectives of the audit;
- sampling used in the audit process;
- real and perceived impartiality;
- issues regarding legal and mandatory responsibilities;
- the organization of the audited client and its operative environment;
- the effect of the audit on the client and its activities;
- the health and safety of the audit team;
- the perception of the interested parties;
- misleading statements by the certified client;
- use of symbols/marks.

The table below contains 6 columns:

- the first gives the progressive number;
- the second shows the reference paragraph of ISO 17021-1 ed.2015;
- the third shows the typology of conflict (macro category);
- the fourth gives examples expressed by the Committee;
- the fifth shows the modalities of investigation which may be used for verifying the conflict;
- the last one presents a brief summary of the acceptability or otherwise of the situation/activity, concerning conflict of interests.

N°	Requirement of the standard ISO/IEC 17021 (point)	Typology of conflict	Example of situation/activity in conflict	Method of investigation	Acceptability
1.	<b>4.2.2:</b> it is well known that the source of income of a CB is its client, who pays for certification, constituting a potential threat to impartiality“	A CAB with few clients depends on the maintenance of each client.	In the mandatory area a CAB which operates for a single client, or mostly for a single client.	Intensification of files submitted for surveillance. Economic appraisal of the balance sheet and examination of CERVED document.	Acceptable provided it is managed within the risk analysis of the CB.
2.	<b>4.2 - 4.8 - 5.2.3</b>	Work carried out by the CB for services which are not certification or evaluation/auditing.  Risk: personal interest, self-audit	Provision of Health & Safety service through CB staff. Activity assimilated to consultancy (also confirmed by EA). Provision of competent medical service, qualified expert, authorized medical doctor.  <i>In general, the ACCREDIA assessors can analyze data regarding the balance sheet and the additional note, also the active and passive invoices of the CB, but they cannot perform audits of an administrative or fiscal nature in such a way as to analyze the details of the balance sheet.</i>	Verification of the revenue of the CB from the balance sheet and additional notes. (activity already routinely performed)  <i>In practice it is almost impossible to obtain data of this nature from a review of the account documents made available by CBs. See note alongside here. It is possible to intervene in cases of other evidences (e.g. published on the website).</i>	Not acceptable threat

3.	<b>4.2 - 4.8 - 5.2.3</b>	Tasks performed by the CB for other services which are not related to certification or evaluation/auditing. Activities assimilated to consultancy. ----- --	The CB provides its own staff who take on the role of Surveillance Body in compliance with D. Lgs 231/01.  ----- ----- The CB provides audit services in compliance with D.Lgs 231/01	Verification of the revenue of the CB from the balance sheet and additional notes. (activity already routinely performed)	Not acceptable threat for the organization certified by the CB. ----- ----- Acceptable provided that it is managed in the risk analysis
4.	<b>4.2 - 4.8 - 5.2.5</b>	Tasks taken on by the CB which are not certification or audit services. Risk: own interest, self-audit.	Any form of consultancy on a company MS.	Verification of the revenue of the CB from the balance sheet and additional notes. (activity already routinely performed)	Threat deemed unacceptable by the standard.
5.	<b>4.2 - 4.8 - 5.2.6</b>	Tasks taken on by the CB which are not certification or audit services. Risk: self-audit.	Certify the MS of organizations where the CB has performed internal audits. (requirement of the standard)	Verification of the revenue of the CB from the balance sheet and additional notes, as well as any detailed investigations. (activity already routinely performed)	Not acceptable threat for bodies certified by the same CB within 2 years of the last internal audit at the organization to be certified.
6.	<b>4-2 - 4.8 - 5.2.3</b>	Tasks taken on by the CB which are not certification or audit services. Risk: self-audit.	Carry out other conformity assessment activities (accredited or non-accredited).	Verification of the revenue of the CB from the balance sheet and additional notes. (activity already routinely performed)	Acceptable

7.	<b>4-2 - 4.8 - 5.2.3</b>	Tasks taken on by the CB which are not certification or audit services. Risk: self-audit.	Carry out second or third party audits with reference to other standards not included in the scope of accreditation. Carry out investigation activities which do not propose specific solutions but only a gap analysis (e.g. legal compliance audit, penetration test, Intrusion detection, related work stress analysis HACCP) Diagnostic exams of a technical nature (e.g. noise or lighting, ergonomics assessment etc.)	Verification of the revenue of the CB from the balance sheet and additional notes. (activity already routinely performed)	Acceptable provided it is managed by the risk analysis of the CB (see § 4.8)
8.	<b>4.2 - 4.8 - 5.2.3</b>	Tasks taken on by the CB which are not certification or audit services.	Perform Stage 2 audits on the suppliers of the certified organization.	Verification of the revenue of the CB from the balance sheet and additional notes. (activity already routinely performed)	Acceptable provided it is managed by the risk analysis of the CB (see § 4.8)
9.	<b>4.2 - 4.8 - 5.2.3</b>	Tasks taken on by the CB which are not certification or audit services.	Preparation of the risk analysis document (e.g. with regard to the security/safety standard or environmental crimes against D L 231...)	Verification of the revenue of the CB from the balance sheet and additional notes. (activity already routinely performed)v	Not acceptable threat for organizations certified by the same CB.-

10.	4.2 - 4.8 - 5.2.3	Tasks taken on by the CB which are not certification or audit services.	Energy diagnosis EGE and ESCO Energy auditor.	Verification of the revenue of the CB from the balance sheet and additional notes. (activity already routinely performed)	A CB can offer the service but not to certified or applicant companies 8in the subsequent 2 years) ISO 14001 and ISO 50001 by the same CB  See the IAF Decision for diagnoses <sup>1</sup> .
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<sup>1</sup> IAF Decision (Frankfurt, Germany – Saturday/Sunday 11th-12th April 2015). *Consensus of the IAF TC: Decision Log: 15/04/01 The IAF TC could not reach consensus regarding whether an energy audit in accordance with ISO 50002 is management system consultancy. The performance of energy audits - in accordance with ISO 50002, as well as environment and energy management system certification for the same client is considered to be an unacceptable threat to impartiality.*

11.	4.2 - 4.8 – 5.2	<p>Ownership, governance, management</p> <p>Risk: self-audit, own interests</p>	<p>The CB – or its partners – has shares or stakes in a MS consultancy company.</p> <p>-----</p> <p><b><u>Additional note prepared by Accredia</u></b></p> <p><i>ISO 17021-1 § 5.2.7 Where a client has received management systems consultancy from a body that has a relationship with a certification body, this is a significant threat to impartiality.</i></p> <p><i>In the Italian translation the word “significant” is missing due to an oversight.</i></p> <p>The relationship between a CB and a consultancy company constitutes a significant threat when such consultancy occurs with regard to a client of the CB.</p>	<p>Verification of the revenue of the CB to discover any participations.</p> <p>Review of the Chamber of Commerce business profile or by means of the CERVED file of participations.</p> <p>(activity already routinely performed)</p> <p>ACCREDIA regularly assesses the business profile regarding the CB’s properties, with particular regard to its operative personnel and, in compliance with RG-01, does not start the accreditation process until there are situations of property..</p>	<p>The standard allows for parties among the related bodies of the CB which can offer consultancy in accordance with the risk analysis. It is not permitted that there may be direct influences on the activities undertaken by the CB.</p>
12.	4.2 - 4.8 – 5.2	<p>Ownership, governance, management</p> <p>Risk: own interests, self-audit, familiarity</p>	<p>The CB has shares or stakes (also acquired through the equity market) in companies certified by the same CB.</p> <p><i>Verifications done by means of review of the business profile, but effectiveness is low.</i></p>	<p>In the CB’s balance sheet the participations can be inferred.</p> <p>Review of business profile.</p> <p>(activity already routinely performed)</p>	<p>Not acceptable threat. Ownership of shares purchased on the stock market is acceptable only if they are minor and insignificant investments.</p>

13.	4.2 - 4.8 – 5.2	Ownership, governance, management  Risk: own interests, self-audit,	Members (physical persons) of the CB possess:  - stock or company engagements in consultancy companies; ----- ----- - stock or company engagements in certified organizations.	Review of business profile. (activity already routinely performed)	Not acceptable threat.  To be evaluated as part of the Risk Analysis. Note: possession of stock/shares bought on the stock market is acceptable only if such investments are minor and insignificant.
14.	4.2 - 4.8 – 5.2	Ownership, governance, management  Risk: own interests, self-audit	The partners (juridical persons) of the CB are consultancy companies of MSs, or they are certified companies certified by the same CB.	Review of business profile. (activity already routinely performed)	Not acceptable, except public entities or large clients if their shares are not of significant quantity. To be managed as part of the Risk Analysis.
15.	4.2 - 4.8 – 5.2	Ownership, governance, management  Risk: own interests, self-audit	CB and SOA have common properties	Review of business profile. (activity already routinely performed)	Not acceptable – see the sentence of the Constitutional Court
16.	4.2 - 4.8 – 5.2	Ownership, governance, management	The members of the CB are associations of trade categories	Review of business profile. (activity already routinely performed)	Acceptable – with risk analysis



17.	4.2.1/5.2.3	Shared resources  Risk: own interests, self-audit, intimidation.	The CB shares location or branch locations with MS consultancy companies.	Verification during the ACCREDIA assessment at the CB's head office and branch offices. (activity already routinely performed)	Not acceptable
18.	4.2.1/5.2.3	Shared resources  Risk: own interests, self-audit, intimidation	The CB shares premises with consultancy operators of another type (e.g. accountants, law firms, SOA). L'OdC condivide sede operativa, o filiali con strutture di consulenza di altro genere (es. commercialisti, studi legali, SOA).	Verification during the ACCREDIA assessment at the CB's head office and branch offices. (activity already routinely performed)	Acceptable, provided it is managed in the CB's risk analysis.
19.	5.2.9	Shared resources  Risk: own interests, self-audit	The CB provides services in a dual form combined with consultancy operators (e.g. conventions, meetings promoted jointly by the CB and a consultancy company).	Verification of the revenue of the CB from the balance sheet and additional note to investigate the type of revenue, monitoring of the market. (activity already routinely performed)	Acceptable, provided it is managed in the CB's risk analysis
20.	5.2.9	Shared resources	The CB is present (as guest or simple intervention) during services performed by consultants (e.g. trainings, conventions, meetings promoted by consultancy companies).	Monitoring of the market	Acceptable if occasional and provided it is managed in the CB's risk analysis
21.	5.2.9	Shared resources  Risk: own interests, self-audit	The CB gives financial support to consultancy operators (e.g. trainings, conventions, meetings) or reverse cases: the consultancy operator sponsors activities undertaken by the CB.	Verification of the costs of the CB from the balance sheet and additional note. (activity already routinely performed)  Monitoring of the market.	Not acceptable for CBs which certify company MSs.

22.	5.2.12	Personnel Risk: own interests, self-audit	The CB's staff who perform the audit or decide on the granting of the certificate possess stock in the certified or applicant companies or have company engagements.  <i>It's extremely hard work to do a business profile for all the auditors of accredited CBs and, above all, not very effective given the facility with which it is possible to transfer stock to other persons, thereby avoiding controls.</i>	Business profile review and the signed commitments regarding the absence of specific conflicts of interests. (activity already routinely performed)	Not acceptable  Note: The possession of shares bought in the stock market is acceptable only if they are not significant investments.
23.	5.2.12	Personnel Risk: own interests, self-audit, familiarity and intimidation.	The CB's staff (dependent) performing the audit or decision on the granting of the certificate, has engagements of another type (project contracts, dependent employment, occasional work efforts) by certified/applicant companies by the same CB.	Examination of the work commitments signed concerning the absence of specific conflicts of interests. (activity already routinely performed)	Not acceptable for the CB's dependent staff.
24.	5.2.10	Personnel Risk: own interests, self-audit, familiarity	The CB's personnel performing the audit or taking the decision for the issue of the certificate, if such personnel is a freelance consultant, has received engagements from the certified and/or applicant company.	Examination of the invoices and work engagements signed regarding the absence of specific conflicts of interests. (activity already routinely performed)	Not acceptable for companies directly followed by audits or decision unless at least 2 years have passed since the last engagement. Acceptable in other cases, provided it is managed in the CB's risk analysis

25.	5.2.8	Personnel Risk: own interests, self-audit, familiarity	The CB gives audit activities or decisions to consultancy companies. Regarding audit activities see the long correspondence with the associations of CBs and the dispositions already published by SINCERT/ACCREDIA and also by EA/IAF regarding this issue.	Verification of the audit activity engagements and decisions during the on-site assessment at the CB. (activity already routinely performed)	Not acceptable that an audit company delivers consultancy activities. Acceptable if a freelance auditor, who could also undertake consultancy activities, has set up a company for organizational reasons.
26.	5.2.11	Personnel Risk: familiarity	The CB shall give audit engagements always to the same assessment group.	Verification during the assessment of the CB of the turnover rate of the engagement for the same client. (activity already routinely performed)	The same audit team should not do more than 3 successive audits at the same organization.
27.	4.2.2 – 5.2.3 5.3.2	Financial resources Risk: own interests, intimidation	The CB is financed by a certified or a consultancy company	Verification of the balance sheet and additional note of matters related to the CB's debts (covering of losses) (activity already routinely performed)	Not acceptable except in special cases of public entities (e.g. certification of a regional structure with financing from the same regional authority.)

28.	4.2.2 - 5.2.3/5.3.2	Financial resources Risk: own interests, intimidation	A sizeable proportion of the CB's revenue can be traced to organizations related to the same consultancy company.  <i>OK – but it's too easy to avoid controls.</i>	Verification of the applications for certification regarding the consultancy used by the organizations. (activity already routinely performed)	Acceptable, provided it is managed in the CB's risk analysis with the approval of the CB's impartiality committee.
29.	5.2.9	Contracts, marketing, sales commissions, incentives	The consultancy service is published together with the certification service (or vice-versa). <i>See above – ACCREDIA has intervened in all cases of this type of which it has had evidence.</i>	Monitoring of the market and of the websites (activity already routinely performed)	Not acceptable
30.	5.2.9	Contracts, marketing, sales commissions, incentives  Risk: own interests, intimidation	Recognition of payments to consultants/consultancy companies for bringing it to the attention of the certified/applicant organization.	Analysis of the cost of the CB and additional note. (activity already routinely performed)	In consideration of the IAF Decision of Oct. 24-25. 2010, this situation is now acceptable under the conditions of the IAF Decision <sup>2</sup> . CBs shall send at least twice per year to ACCREDIA the list of these conditions.

<sup>2</sup> IAF Decision of 24-25 Oct., 2010 - Shanghai. The IAF working group has agreed that there can exist an alternative method to the impossibility of certifying a company for 2 years, in cases where there has been payment (for the purchase of the certification contract) between the CB and the company/person who performed consultancy activities.

The CB shall demonstrate compliance with the following points:

- ✓ Transparency – all the documents related to this relationship shall be kept and made available upon request by the AB. The client and the CAB's personnel are aware of its relationship and/or payment of commission/finder's fee and that the CAB does not provide special treatment.
- ✓ Management of the CAB has signed the relevant declaration of impartiality that includes reference to such relationships and their management.
- ✓ Risk assessment conducted for the specific relationship between the involved parties. Special attention given to the threats arising from relationships of the parties/individuals involved.
- ✓ Impartiality committee reviews the effectiveness of management of risk due to such relationships.
- ✓ A process is established to ensure there is no special treatment of clients during the certification process.
- ✓ Instances of pressure or influence from management, consultant or client are reported and mitigated.

31.	5.2.9	Contracts, marketing, sales commissions, incentives  Risk: own interests, intimidation	Invoices to the client sent directly by the consultancy company and not by the CB.	Analysis of the cost of the CB and additional note. (activity already routinely performed)	The same principle is applied of payment of fees (IAF Decision, 24-25 Oct., 2010)
32.	5.2.9	Contracts, marketing, sales commissions, incentives  Risk: own interests, intimidation	Invoicing to the client sent directly by an agency operating in the name and on behalf of a CB	Analysis of the cost of the CB and additional note. (activity already routinely performed)	The same principle is applied of payment of fees (IAF Decision, 24-25 Oct., 2010)
33.	5.2.9	Contracts, marketing, sales commissions, incentives  Risk: discriminatory behavior between different certified clients.	Price discounts or rises agreed for certain organizations.  <i>To date, ACCREDIA verifies that the maximum discount percentage is approved by the impartiality committee of the CB.</i>	Analysis of the quotes during the ACCREDIA audit at the CB, (activity already routinely performed)	Acceptable provided it is managed in the CB's risk analysis with the approval of the CB's impartiality committee
34.	5.2.3	Contracts, marketing, sales commissions, incentives  Risk: see above	Promotional activities (e.g. free training courses or reduced costs) agreed for certain organizations.	Analysis of participants of the course held by the CB and verification of the relative invoices.  (activity already routinely performed)	Acceptable provided it is managed in the CB's risk analysis with the approval of the CB's impartiality committee

- ✓ Additional witnessing of the audits may need to be conducted by the CAB.
- ✓ Closer scrutiny of audit output and certification / recertification decisions.
- ✓ Monitorings of such relationships through internal audit..

An AB may need additional time to assess the management of such relationships and may also need to conduct additional witness audits.

35.	3.3 Notes 1 and 2	Training Risk: activity assimilated to consultancy	Deliver training courses by catalogue at the CB or the client organization. Delivery of safety courses in accordance with legal requirements.	Analysis of training courses held by the CB and comparison with verification activities.  (activity already routinely performed)	Acceptable under the conditions set out by the CSA-DC of Sept 20, <sup>3</sup>
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<sup>3</sup> Decision of the CSA-DC of Sept. 20, 2011:

- ✓ It is acceptable to deliver training courses (by catalogue or not) only when such activities are not related to consultancy work. Training can be for a juridical person or persons. In the second case, irrespective of the location of the training (at the certified organization, at the CB's office or elsewhere) it is the CB's task to analyze fully the risks of excessive familiarity. Simple interventions such as general training for a standard are acceptable as long as they are of a general nature and of limited duration.
- ✓ It is not acceptable that for audit activities at an organization, personnel is appointed who have already done training directly at the company, or exclusively for the personnel of the same company, even if the subject of the course is not strictly relevant to the activities which the personnel tasked by the CB shall perform.