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**Conformity assessment — Impartiality —
Principles and requirements**

Évaluation de la conformité — Impartialité — Principes et exigences



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Case postale 56 • CH-1211 Geneva 20
Tel. + 41 22 749 01 11
Fax + 41 22 749 09 47
E-mail copyright@iso.org
Web www.iso.org

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Foreword

ISO (the International Organization for Standardization) is a worldwide federation of national standards bodies (ISO member bodies). The work of preparing International Standards is normally carried out through ISO technical committees. Each member body interested in a subject for which a technical committee has been established has the right to be represented on that committee. International organizations, governmental and non-governmental, in liaison with ISO, also take part in the work. ISO collaborates closely with the International Electrotechnical Commission (IEC) on all matters of electrotechnical standardization. In the field of conformity assessment, the ISO Committee on conformity assessment (CASCO) is responsible for the development of International Standards and Guides.

International Standards are drafted in accordance with the rules given in the ISO/IEC Directives, Part 2.

Draft International Standards are circulated to the member bodies for voting. Publication as an International Standard requires approval by at least 75 % of the member bodies casting a vote.

In other circumstances, particularly when there is an urgent market requirement for such documents, a technical committee may decide to publish other types of normative document:

- an ISO Publicly Available Specification (ISO/PAS) represents an agreement between technical experts in an ISO working group and is accepted for publication if it is approved by more than 50 % of the members of the parent committee casting a vote;
- an ISO Technical Specification (ISO/TS) represents an agreement between the members of a technical committee and is accepted for publication if it is approved by 2/3 of the members of the committee casting a vote.

An ISO/PAS or ISO/TS is reviewed after three years in order to decide whether it will be confirmed for a further three years, revised to become an International Standard, or withdrawn. If the ISO/PAS or ISO/TS is confirmed, it is reviewed again after a further three years, at which time it must either be transformed into an International Standard or be withdrawn.

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. ISO shall not be held responsible for identifying any or all such patent rights.

ISO/PAS 17001 was prepared by the ISO *Committee on conformity assessment* (CASCO).

Introduction

In 2001, the ISO Council asked its policy committee on conformity assessment (CASCO) to study and prepare a group of common elements for application in future ISO documents on conformity assessment. Subsequent to this request, ISO/CASCO approved the formation of Working Group 23, *Common elements in ISO/IEC Standards for conformity assessment activities*, to undertake this task.

The working group has identified several common elements, including among others

- impartiality (ISO/PAS 17001),
- confidentiality (ISO/PAS 17002),
- complaints and appeals (ISO/PAS 17003),
- disclosure of information (ISO/PAS 17004),
- management systems (ISO/PAS 17005).

This Publicly Available Specification (PAS) addresses the “impartiality” element that occurs in many of the ISO/IEC Guides and International Standards on conformity assessment.

This Publicly Available Specification covers the agreed principles that give substance to the element of impartiality, and also provides requirements clauses intended to be included in future ISO/IEC International Standards on conformity assessment.

This Publicly Available Specification is intended to apply to the drafting of documents on conformity assessment by ISO/CASCO.

Clause 4 (Background) contains some comments on the importance of impartiality to conformity assessment.

Clause 5 (Principles of impartiality) contains statements that are intended to orientate ISO/CASCO working groups in their task of creating requirements to address impartiality in their documents.

The requirements to be inserted into future ISO/CASCO documents that cover the common element of “impartiality” are detailed in Clause 6. ISO/CASCO has adopted a common structure for presentation of requirements. Requirements are grouped under one or more of the following headings:

- a) General requirements;
- b) Structural requirements;
- c) Resource requirements;
- d) Process requirements;
- e) Management system requirements.

As such, each of the common elements will have requirements related to it grouped under one or more of the headings given in a) to e).

This PAS is not intended to become a future International Standard. At the end of three years after the date of publication, it is expected this PAS will be withdrawn and its contents incorporated as appropriate in relevant ISO/CASCO normative and guidance documents.

Conformity assessment — Impartiality — Principles and requirements

1 Scope

This Publicly Available Specification (PAS) contains principles and requirements for the element of impartiality as it relates to standards for conformity assessment.

It is an internal tool for use in the ISO/IEC standards development process by ISO/CASCO working groups when considering the element of impartiality in preparation of their documents.

This Publicly Available Specification is not a stand alone normative document to be used directly in conformity assessment activities.

2 Normative references

The following referenced documents are indispensable for the application of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

ISO/IEC 17000:2004, *Conformity assessment — Vocabulary and general principles*

3 Terms and definitions

For the purposes of this document, the terms and definitions given in ISO/IEC 17000 apply.

NOTE The use of the term “body” in this Publicly Available Specification means either an accreditation body or a conformity assessment body as defined in ISO/IEC 17000.

4 Background

4.1 Impartiality is an element made up of several components. These components are attributes that are considered fundamental in a body or person that performs conformity assessment activities. The components include:

- a) undertaking conformity assessment activities in an objective manner without bias;
- b) identification of existing and potential conflicts of interests and their active management so as to ensure objectivity;
- c) independence of the conformity assessment body, as well as the individuals performing the conformity assessment activities, from any other organization or person having an interest in the result of the conformity assessment activities;
- d) awareness of the responsibility and liability that come with undertaking conformity assessment activities and making conformity assessment decisions or/and attestations.

4.2 The lack of impartiality in conformity assessment activities could lead to incorrect or flawed conformity assessment practices and results.

4.3 While carrying out conformity assessment activities, it is important

- a) to be objective,
- b) to identify, avoid, mitigate and manage conflicts of interest, and
- c) to ensure independence,

in order to increase the amount of trust, confidence and value that those activities have in the market place.

5 Principles of impartiality

5.1 The use of the term impartiality in this Publicly Available Specification is understood to be the actual and perceived presence of objectivity. Objectivity is understood to mean that conflicts of interest do not exist or are resolved so as not to adversely influence the activities of the body.

NOTE Impartiality is characterized by one or more of the following:

- objectivity,
- independence,
- neutrality,
- fairness,
- open-mindedness,
- even-handedness,
- detachment,
- balance,
- freedom from conflict of interests,
- freedom from bias,
- lack of prejudice.

5.2 It is necessary for bodies and their personnel to be, and be perceived as, impartial to give confidence in their activities and their outcomes.

5.3 Threats to impartiality include bias that may arise from:

- a) self-interest (e.g. overdependence on a contract for service or the fees, or fear of losing the customer or fear of becoming unemployed, to an extent that adversely affects objectivity in carrying out conformity assessment activities);
- b) self-review (e.g. performing conformity assessment activity in which the body evaluates the results of other services it has already provided, such as design or consultancy services);
- c) advocacy (e.g. a body or its personnel acting in support of, or in opposition to, a given company, which is at the same time its customer, in the resolution of a dispute or litigation);
- d) over-familiarity, i.e. threats that arise from a body or its personnel being overly familiar or too trusting instead of seeking evidence of conformity (e.g. in a management systems conformity assessment context, the development of relationships over time between conformity assessment personnel and the customer's personnel or organization that adversely affects the objectivity and rigour in the provision of conformity assessment activities for that customer; in the product certification and laboratory context, this risk is

more difficult to manage because the need for assessment personnel, with very specific expertise, often limits the availability of qualified individuals);

- e) intimidation (e.g. the body or its personnel can be deterred from acting objectively by threats from or fear of, a client or other interested party);
- f) competition (e.g. between the assessed company and a contracted technical assessor).

6 Requirements for impartiality

6.1 General

In developing this Publicly Available Specification, it was recognized that there are varying degrees of specificity that ISO/CASCO working groups should consider. Consequently, the requirements in this clause are categorized into three levels of specificity as follows.

a) Obligatory:

These are specific drafted requirements that shall be used by ISO/CASCO working groups where the element has to be addressed, without modification, except for substitution of more specific terms. For example, the phrase “Conformity assessment activities shall be undertaken impartially”, may be substituted more specifically with “Management system certification activities shall be undertaken impartially”. Justification is required from ISO/CASCO working groups that do not use these requirements when dealing with the relevant common element.

b) Recommended:

These are drafted requirements that working groups should use if they wished to have a greater degree of specification. Modification is permissible.

c) Suggested:

These are considerations that could be taken into account in the drafting of requirements by the ISO/CASCO working group.

By providing for these different levels of specificity, this Publicly Available Specification achieves the ISO/CASCO intent to have an agreed statement on elements that are common to all conformity assessment activities and, at the same time, maintains some flexibility for specific wording by individual ISO/CASCO working groups.

As an aid to future CASCO working groups, the following text that they shall either use (obligatory requirements) or otherwise incorporate (recommended requirements) in future International Standards is that which is contained in the boxes; the rest of the text is explanatory in nature.

6.2 General requirements

6.2.1 Obligatory requirements

6.2.1.1 Conformity assessment activities shall be undertaken impartially.

6.2.1.2 The body shall be responsible for the impartiality of its conformity assessment activities and shall not allow commercial, financial or other pressures to compromise impartiality.

6.2.1.3 The body shall identify risks to its impartiality on an ongoing basis. This shall include those risks that arise from its activities, or from its relationships, or from the relationships of its personnel (see 6.4.1). However, such relationships do not necessarily present a body with a risk to impartiality.

NOTE A relationship that threatens the impartiality of the body can be based on ownership, governance, management, personnel, shared resources, finances, contracts, marketing (including branding), and payment of a sales commission or other inducement for the referral of new clients, etc.

6.2.1.4 If a risk to impartiality is identified, the body shall be able to demonstrate how it eliminates or minimizes such risk.

6.2.1.5 The body shall have top management commitment to impartiality.

6.2.2 Recommended requirements

6.2.2.1 The body shall not offer or provide conformity assessment as well as design or consultancy services that relate to the same object of conformity assessment for the same customer, as this poses an unacceptable threat to impartiality.

NOTE ISO/CASCO working groups can identify activities (or combinations of activities) other than design or consultancy that could be perceived as an unacceptable risk to impartiality.

6.2.2.2 Services that pose an unacceptable risk to impartiality shall not be presented, explicitly or implicitly, in association with the conformity assessment activities.

6.2.2.3 Where the relationship between a provider of design or consultancy services and the body poses an unacceptable threat to the impartiality of the body, the body shall not provide conformity assessment services to customers who have received design or consultancy services related to the same object of conformity assessment for the same customer.

NOTE 1 Allowing a specified period of time to elapse following the end of the design and consultancy services is one way of reducing the threat to impartiality to an acceptable level.

NOTE 2 ISO/CASCO working groups can identify activities (or combinations of activities) other than design or consultancy that could be perceived as an unacceptable risk to impartiality.

6.2.2.4 Contracts and agreements for conformity assessment shall take into account the responsibilities of the parties to ensure impartiality.

6.2.2.5 The body shall have a publicly available statement that it understands the importance of impartiality in carrying out its conformity assessment activities, manages conflicts of interest and ensures objectivity of its conformity assessment activities.

6.3 Structural requirements

6.3.1 Obligatory requirement

Conformity assessment activities shall be structured and managed so as to safeguard impartiality.

6.3.2 Recommended requirements

6.3.2.1 The body shall have a mechanism for balanced involvement of stakeholders in

- a) developing principles and policies relating to impartiality,
- b) counteracting any tendency to allow commercial or other considerations to prevent the consistent objective provision of the conformity assessment activities, and
- c) advising on matters affecting impartiality in conformity assessment activities, including public perception.

6.3.2.2 Review and decision on conformity shall be made by people different from those who carried out the selection and determination functions.

NOTE When this text is used in a specific CASCO standard, the phrase "selection and determination functions" are to be replaced by the type of activities involved in the conformity assessment covered by the CASCO standard (e.g. testing, inspection, auditing, evaluation, assessment). For further explanation of the recognized conformity assessment functions, see ISO/IEC 17000:2004, Annex A.

6.4 Resource requirements

6.4.1 Obligatory requirements

All personnel of the body, either internal or external, that could influence the conformity assessment activities, shall act impartially.

6.4.2 Recommended requirements

6.4.2.1 Personnel of the body who have previously been employed or used by a customer to design, manage, or consult on the object of conformity assessment shall not perform conformity assessment activities in relation to that object within a <insert specified period> of their previous involvement.

The definition of a specified period should take into account the technical and other developments in the specific sector.

EXAMPLE 1 The quality management systems (QMS) manager in an organization who is subsequently employed by a QMS certification/registration body should not be used to undertake an external audit process, nor review and decision-making functions, resulting in certification for his/her previous organization, unless at least 2 years have passed.

EXAMPLE 2 An employee formerly engaged in the design, manufacturing, in-house testing or inspection of products and subsequently employed by a product certification body should not be used to undertake conformity assessment activities of products from his/her previous organization, unless at least 2 years have passed.

EXAMPLE 3 A former employee of a conformity assessment body who is subsequently employed by an accreditation body should not be used to undertake an assessment, nor review and decision-making activities, resulting in the accreditation of his/her previous organization, unless at least 2 years have passed.

6.4.2.2 The body shall manage the risk to impartiality arising from over-familiarity between its personnel and the customer.

EXAMPLE A body should rotate assessment personnel amongst assignments with different customers on an occasional basis.

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