

Management of impartiality

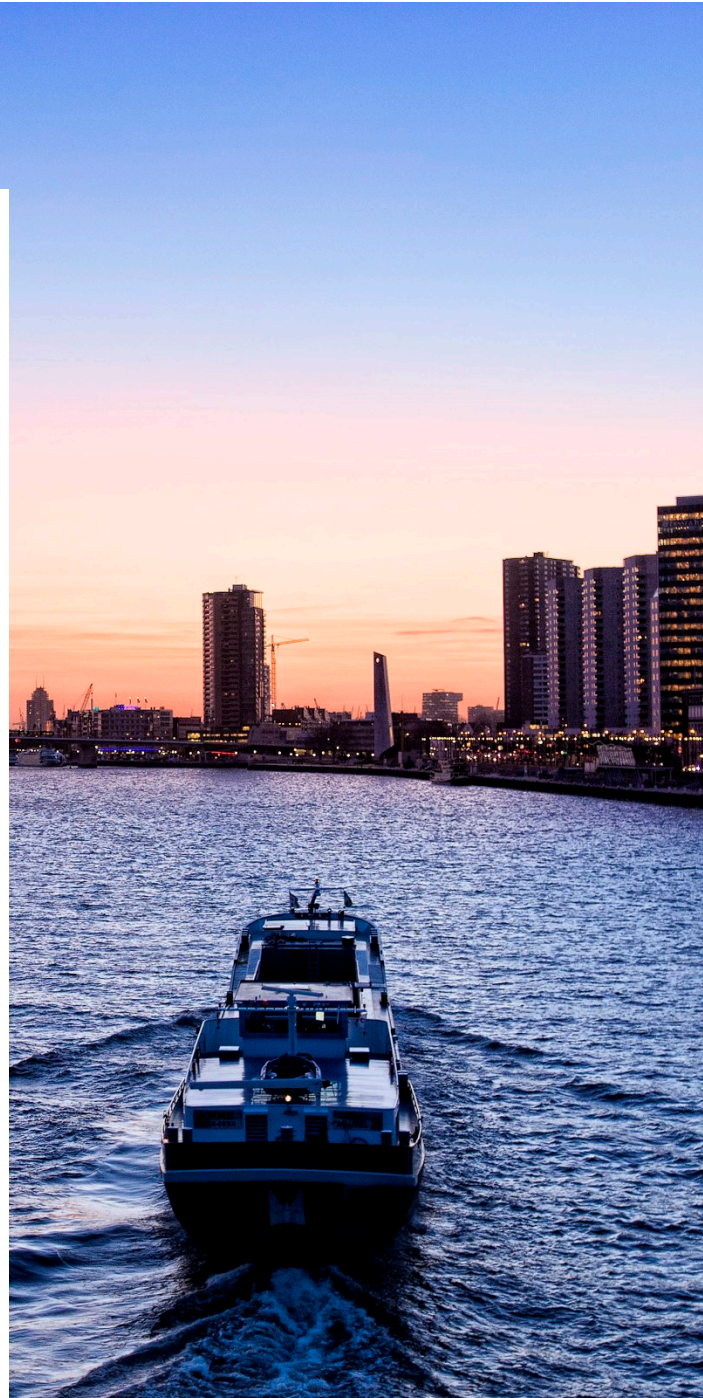
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1. Definitions

The in this document mentioned terms are defined in RD.004 (EMCI Register list of terms and conditions).

2. Purpose

This document regulates how EMCI Register will safeguard impartiality in the certification process according to the ISO 17065 criteria.

3. General

3.1

EMCI Register will at all times ensure the presence of objectivity by following the herewith explained risk and policies for impartiality. To ensure this, the certification process is handled according to the following terms:

- Freedom from favoring
- Independence
- Neutrality
- Fairness
- Undesired attachment
- Openness
- Transparency

3.2

EMCI Register will at all times follow the most up to date RD.001 (Mission statement) and its values so as to ensure that activities of EMCI Register will not harm impartiality.

3.3

Certification activities shall be undertaken impartially. EMCI Register is responsible for the impartiality of its certification activities and does not allow commercial, financial or other pressures to compromise impartiality.

4. Managing impartiality

4.1

EMCI Register has conducted a risk assessment that described the current risks to the organization and the implemented controls EMCI Register has taken to ensure minimum risk.

4.2

Aside from this, other documents such as RD.001 (Mission statement) describe the limited scope EMCI Register operates in and that it does not produce certified products, services etc.

4.3

EMCI Register will ensure that personnel whom have engaged in consultancy in the product scope of EMCI Register shall not be involved in the certification process for a minimum of 1 year. This one-year period must be applied from the date the consultancy was provided.

4.4

Board members, personnel, both internal and external, contractors, committee members, and any other person or organization representing EMCI Register in any way, are required to sign the code of conduct which binds them to reveal any situation known to them that may present them or the certification body with a conflict of interest.

4.5

Information arising from 4.4. shall be directly reported to the committee for impartiality. Thus, ensuring that EMCI Register uses the information as input into identifying risks to impartiality raised by the activities of the personnel or the organizations that employ them mentioned in 4.4.

4.6

In order to ensure ongoing monitoring, the head of certification must judge that each issued certificate that the certification process as described in PD.001 (Certification process) was carried out impartially. If the head of certification identifies a risk or

breach to impartiality it must be reported to the committee of impartiality and the board.

4.7

4.7.1

The board is hold to decide on reported notifications of impartiality, regardless of their origin. Risks to impartiality arising from actions of other persons, bodies, organizations of which the board becomes aware must also be handled.

4.7.2

The decision must be made within 10 working days after notification.

4.7.3

The decision can be:

- Direct corrective action,
- An instruction to the quality officer (see article 4.7.4)
- No action is required

4.7.4

The board will appoint the quality officer to investigate whether policy changes are required and if so, to implement them.

4.7.5

All actions must be documented and provided to the committee of impartiality.

4.7.6

The annual management review contains a review on impartiality as described in RD.002 (Quality manual).

4.8

EMCI Register ensures that activities of separate legal entities, with which EMCI Register or the legal entity of which it forms a part has relationships, do not compromise the impartiality of its certification activities. This is done by having those legal entities to sign the code of conduct and mission statement.

4.9

When the separate legal entity in article 4.8 offers or produces the certified product (including products to be certified) or offers or provides consultancy, EMCI Register's

management personnel and personnel in the review and certification decision-making process shall not be involved in the activities of the separate legal entity.

4.10

EMCI Register will participate in certification scheme committees, such as the RSG Group which is to be considered as an awareness instrument including impartiality.

5. Committee for impartiality

5.1

The committee is guided by but not limited to:

- ISO/IEC 17065
- EU RCD 2013/53/EU
- RD.001 (Mission statement)
- RD.002 (Quality manual)
- PD.001 (Certification process)
- PD.002 (Complaint procedure)
- PD.003 (Rules for committees)
- PD.004 (Rules for use marks and certificates)
- PD.005 (Management of impartiality) (This document)
- PD.006 (Code of conduct)
- PD.007 (Document management)
- ID.006 (Accreditation scope)

5.2

The impartiality committee is an autonomous oversight committee tasked with monitoring the impartiality of EMCI Register.

5.3

5.3.1

The committee consists of:

- Dutch Yacht Builders Association (NJI), represented by Mr. drs. G.W. Klok
- Mr. ing. G.H. van Barneveld, individual, former RCD 2013/53/EU lead auditor
- Mr. J.N. Kossen MSM, individual, former director watersportverbond, president watersportvereniging Lelystad(pending)

-
- Mr. Donald Schiozzi, individual, CEO Port authority Rovinj, Lecturer University of Rijeka (faculty of maritime studies)
 - Mr. Christopher de Kock, individual, Maritime expert

5.3.2

EMCI Register has invited 40 owners' associations to participate in the impartiality committee. As this is a pending process the board reserves the decide on the voting right of these associations. The intention is to cluster all within one customer related vote.

5.3.3

A permanent open invitation to be an observer within the impartiality committee is granted to i.c available for:

- The Dutch Minister of Infrastructure and Water management, represented by the Human Environment and Transport Inspectorate
- Scope based representatives from the European Union
- An hereto appointed representative of an official and industry relevant professional body, such as the RSG group, ABYC, BIA, Icomia.

5.3.4

EMCI Register employees (internal or external) are excluded from membership of the impartiality committee.

5.4

The committee for impartiality shall provide input on the following:

- The policies and principles relating to the impartiality of its certification activities;
- Any tendency on the part of a certification body to allow commercial or other considerations to prevent the consistent impartial provision of certification activities;
- Matters affecting impartiality and confidence in certification, including openness.

5.5

The board is fully responsible for:

- That the committee consists of a balanced representation of significantly interested parties (juncto 5.3), such that no single interest predominates:
 - Sector organizations/professional and bodies representing clients of EMCI Register or clients of EMCI Register certified products
 - Experts in the field of certification (but without links to EMCI Register)
 - Governmental or accrediting bodies
- That the committee can operate in accordance to PD.003 (Rules for committee's)
- Providing the committee with unconditional, full access to company documents and other information on request to enable the fulfillment of its tasks. There shall be no limitations placed on what the committee can access.

5.6

5.6.1

The committee shall have the right to take independent action (e.g. informing authorities, accreditation bodies, stakeholders).

5.6.2

In taking appropriate action, the confidentiality requirements of MS.002 (General statute) with particular attention to PD.007 (Document management) relating to the client and certification body shall be respected.

5.6.3

Any action as mentioned in article 5.6.1 must be reported asynchronously to the EMCI Register board.

5.6.4

Input that is in conflict with the operating procedures of EMCI Register or other mandatory requirements should not be followed.

5.6.5

The board must document the reasoning behind the decision to not follow the input and maintain the document for review by appropriate personnel.

5.6.6

The board must send this decision to the committee of impartiality within 10 working days after creation.

5.7

The committee should meet once year. At the meeting the committee must evaluate existing controls and risks, identify (possible) new controls and risks, and reflect on the actuality and effectiveness of all controls and risks and must take into consideration all current and upcoming national and international legislation when doing so.

5.8

After each meeting, the committee informs EMCI Register of the required or advised changes or amendments.

5.9

If EMCI Register becomes aware of (potential) damage to its impartiality it will report this to the committee within 14 days.

5.10

If an employee declares any prior and/or present association on their own part, or on the part of their employer, with a(n):

- Supplier or designer of products, or
- Provider or developer of services, or
- Operator or developer of processes to the evaluation or certification of which they are to be assigned,

the committee shall investigate and document the risk to impartiality this employee causes/has caused.

5.11

If an employee reveals any situation known to them that may present them or the EMCI Register with a conflict of interest the committee shall investigate and document the risk to impartiality this employee causes/has caused.

5.12

5.12.1

The impartiality committee can have other tasks outside of the monitoring of impartiality.

5.12.2

The impartiality committee shall be consulted on all changes to EMCI Register policy documents to give their advice.

5.12.3

The impartiality committee may be consulted during personnel reviews if the employee under review is a member of the board.

5.12.4

The impartiality committee may be appointed to handle an appeal to the decision on a complaint.