

PROCEDURE OF CONFIDENTIALITY, IMPARTIALITY AND CONFLICT OF INTEREST

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1.0 SCOPE

- 1.1 The purpose of this document is to provide adequate arrangements to safeguard confidentiality of information obtained in the course of BAB accreditation activities at all levels of organisation of BAB, including committees and external bodies or individual assessors acting on the behalf of BAB and ensuring impartiality in different phases of accreditation activities.

1.2 Mitigation of identified risk to impartiality

- 1.3 This document details the arrangement of ensuring that all information supplied to BAB is treated as “CONFIDENTIAL”.
- 1.4 All persons employed by BAB or working for, or on behalf of BAB, are subject to this procedure.

2.0 DEFINITIONS

- 2.1 As a general rule, definitions in ISO/IEC 17000 and in BAB series of criteria documents and operating procedures are applicable. For the purpose of this document, the following definitions also apply.
- 2.2 **Conformity Assessment Body (CAB):** Body that performs conformity assessment services and that can be the object of accreditation, e.g: testing and calibration laboratories, certification bodies or inspection bodies.

2.3 Impartiality: Presence of objectivity

2.4 Consultancy: Participation in any of the activities of a CAB subject to accreditation

3.0 CONFIDENTIAL INFORMATION

- 3.1 All information and documentation obtained or provided in the course of the accreditation process will be treated as strictly confidential. The Director General of BAB may approve an exception to the condition following written approval from the conformity assessment body or organisation concerned. When this approval is given, the Director General shall stipulate where and to whom the information will be disclosed.
- 3.2 Information which is already known to be available in the public domain may be disclosed without reference to the Director General of BAB.
- 3.3 Details of applicants for accreditation shall also be treated as confidential until the conclusion of the accreditation process. In the case of a conformity assessment body or organisation being unsuccessful in its application for accreditation, the fact can be disclosed upon written request and clearance by the Director General of BAB.
- 3.4 In the case of a conformity assessment body or organisation has its accreditation suspended or withdrawn by the Director General, the fact can be disclosed upon written request and clearance by the Director General.
- 3.5 When confidential information on a particular conformity assessment body is required to be disclosed to a third party under the requirement of law, the conformity assessment body concerned shall be informed in writing of the information disclosed.
- 3.6 BAB accreditation programs may involve persons from regulatory authorities who, under BAB law, are required to enforce the legislation surrounding their area of expertise. In these instances and in cases where BAB is required, under law, to release information to an authority having jurisdiction, BAB will comply with the laws of the land.

4.0 MAINTAINING CONFIDENTIALITY

4.1 BAB staff ensure that a formal undertaking of Declaration of Impartiality, Confidentiality & Conflict of Interest (QF11) is signed and obtained from all persons prior to allowing them access to confidential information. This includes all of the following persons:

- BAB Staff
- BAB assessors, experts and Observers;
- Members of BAB committees,
- Board Members and
- Other national accreditation bodies and partners or peer evaluation members of any Mutual / Multilateral Recognition Arrangement (MRA or MLA) group that may have access to conformity assessment body files through their association with BAB.

4.2 Where possible, all confidential information shall be passed by hand. However, when this is not practical and documents are mailed, the documents and envelopes shall be stamped “CONFIDENTIAL,” double enveloped, and transported by secured means.

5.0 IMPARTIALITY

5.1 BAB is committed to impartiality in all accreditation activities and analyzes potential risk to impartiality and arranges to eliminate or mitigate identified risks. BAB also review level of risk and does not provide accreditation when unacceptable risk to impartiality cannot be mitigated to an acceptable level. BAB provides its services in an open and transparent manner, and without discrimination. BAB Accreditation process and relevant documents including BAB fee schedule are publicly available.

5.2 BAB maintains independence, impartiality, transparency and objectivity in all its activities. BAB uses two phases of evaluation in the accreditation schemes through assessment and evaluation of assessment report followed by recommendation for accreditation decision by Accreditation Committee (AC). In all cases, BAB ensures independence, impartiality, transparency and objectivity through the involvement of different experts and stakeholders.

5.3 BAB ensures that person(s) prior to involving in any accreditation activities is/are currently not related to any person of the management of the CAB in question.

6.0 CONFLICT OF INTEREST

6.1 BAB ensures that all persons prior to involving in any accreditation activities have not offered any consultancy, guidance, supervision or other services to the CAB in any way within last two years and is/are not an ex-employee of the CAB.

6.2 Formation of assessment team for pre assessment, assessment, reassessment or any other such cases is communicated to CABs beforehand to allow them to express their consent and declaration of conflict of interest (QF22) with any of the team member (if any).

7.0 MITIGATION OF IMPARTIALITY RISK

7.1 BAB ensures that all persons prior to involving in any accreditation activities (Assessment or Accreditation committee etc.) signed a formal undertaking with following declarations in QF11:

7.1.1 have not offered any consultancy, guidance, supervision or other services to the CAB in any way within last two years.

7.1.2 is/are not an ex-employee of the CAB and currently not related to any person of the management of the CAB in question.

7.1.3 shall maintain strict confidentiality of the information acquired in course of discharge of my responsibility and shall not disclose to any person other than that required by BAB.

(This includes observations during the assessment and various documents like Quality

Manual, Procedural Manuals, Work instructions, Internal reports etc. of any CAB and other related information that might have been given by BAB.)

7.1.4 shall disclose the potential **Partiality** and/or **Conflict of Interest** before my involvement in any course of BAB activities.

8.0 FAILURE TO CONFORM

- 8.1 Any person failing to conform to any part of this procedure may be prevented further access to BAB information and accreditation activities.