



POLICY ON MANAGEMENT AND MECHANISM FOR SAFEGUARDING IMPARTIALITY

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Management of Impartiality and Mechanism for Safeguarding Impartiality

1.	Aim
	<p>Being impartial, and being perceived to be impartial, is necessary for a certification body to deliver certification that provides confidence.</p> <p>This Policy explains ADITI's approach towards impartiality and describes the mechanism for safeguarding impartiality in all activities related to certification</p>
2.	Background
	<p>Impartiality is a fundamental element of organic/volunteer certification system. The overall aim of certification is to provide confidence to all parties that a product or a management system fulfils specified requirements. The value of certification is the degree of public confidence and trust that is established by an impartial and competent assessment by a third-party.</p> <p>Private certification involves several immanent conflicts of interest. The key point is a certain conflict of interest could arise among personnel involved in various stages of certification which could affect the certification process.</p>
3.	Normative Framework
4.	<p>4.1) ISO/IEC 17065:2012</p> <p>4.2 Management of impartiality</p> <p>5 Structural requirements: 5.1.1 Certification activities shall be structured and managed so as to safeguard impartiality.</p> <p>5.2 Mechanism for safeguarding impartiality</p> <p>4.2) NPOP: CHAPTER 4 Accreditation of Certification Bodies</p> <p>4.2.1 Legal Entity/ Organization Structure</p> <p>(iii) The organizational structure of the Certification Body shall be such so as to foster confidence in the implementation of its certification programme. In particular, the Certification Body shall:</p> <p>a. Be impartial</p> <p>n. Ensure activities of related bodies do not affect the confidentiality, objectivity and impartiality of its certification and it shall not supply or design products of the type it certifies.</p> <p>4.2.7 Objectivity</p> <p>(i) The Certification Body and all those involved in the certification programme shall be impartial.</p> <p>4.2.16 Subcontracting</p> <p>(ii) The Certification Body shall: Ensure that the subcontracted party remains impartial in its functioning.</p> <p>4.3) NOP: §205.501 General requirements for accreditation.</p> <p>(a) A private or governmental entity accredited as a certifying agent under this subpart must: (11) Prevent conflicts of interest by:</p> <p>(iv) Not giving advice or providing consultancy services, to certification applicants or certified operations, for overcoming identified barriers to certification.</p>

(v) Requiring all persons who review applications for certification, perform on-site inspections, review certification documents, evaluate qualifications for certification, make recommendations concerning certification, or make certification decisions and all parties responsibly connected to the certifying agent to complete an annual conflict of interest disclosure report; and

(vi) Ensuring that the decision to certify an operation is made by a person different from those who conducted the review of documents and on-site inspection.

4.4) COR V18:

C.2.2 Application evaluation

C.2.2.14 The CB shall allow the applicant to refuse the selected VO in case of conflict of interest.

C.7 Obligations of the CB relative to certifications

C.7.3 The CB shall ensure that when it identifies and assigns responsibilities and tasks to members of its staff, impartiality is not in jeopardy.

C.7.7 The CB shall have a signed agreement with the VO to refuse any work that would create a conflict-of-interest situation with the enterprise that is applying for certification, either because of a family link, or because of a business relationship with the applicant during the 12 months preceding its application to the CB.

4.5) EU Regulation 848/2018

Article 46.2 Control authorities or control bodies shall be recognised in accordance with paragraph 1 of this Article for the control of import of the categories of products listed in Article 35(7) if they fulfil the following criteria:

(a) they are legally established in third country.

(c) they offer adequate guarantees of objectivity and impartiality and are free from any conflict of interest as regards the exercise of their control tasks; in particular, they have procedures in place ensuring that the staff performing controls and other actions is free from any conflict of interest, and that the operators are not inspected by the same inspectors for more than 3 years consecutively.

(g) they have procedures and arrangements in place to ensure the impartiality, the quality, the consistency, the effectiveness and the appropriateness of controls and other actions performed by them.

4.6) INDGAP

4.6.1. The top management's commitment to impartiality shall be demonstrated through:

a) Documenting the certification body's policy on safeguarding impartiality and ensuring that it is understood at all levels of the organization. Implementing good practices like establishing "Code of Conduct" and requiring internal and external personnel to abide by it.

b) Having a defined institutional structure and impartiality policy and procedures, appropriate implementation of these policy and procedures and operation and conduct of its activities and personnel.

c) Having a system that ensures appropriate management of conflict of interest for ensuring objectivity of its certification functions.

d) Taking action to respond to any threats to its impartiality arising from the actions of other parts of the organization, persons outside of the organization, subcontractors, related bodies

or other bodies or organizations.

e) Maintaining a professional environment and culture in the organization that supports a behaviour of all personnel that is consistent with impartiality.

f) Making available to public through its website, its policy on impartiality.

4.6.2. The certification body shall establish and implement a documented procedure for analysing threats against impartiality of the certification body.

The analysis shall cover all existing potential sources of conflict of interests, arising certification body's activities (its own activities, activities of the related bodies and activities of personnel it employs) and from its relationships (organizational as well as individual's).

The certification body shall ensure that a conflict of interest analysis is carried out at least once annually and whenever a significant change occurs in the certification body's activities, such as changes in the organizational structure and business activities or of the legal status and mergers with, or acquisitions of other organizations.

4.6.3. In addition to the above, the following shall also apply as per INDGAP:

a) The certification body shall not have any relationship with the client except third party conformity assessment. There shall be a minimum separation of 2 years before application can be entertained, in case the certification body has had relationship which is generic (not IndG.A.P. certification scheme) in nature, for example, internal audit training, etc.

Then the certification body shall carry out impartiality risk analysis before entertaining the application. Purpose of risk analysis shall be to ascertain if, longer separation than two years is required from the last date of end of relationship as stated above or that the risk is of such unacceptable level so as to prohibit certification by the certification body. Based on the risk analysis appropriate decision shall be taken and the justification for the same shall be recorded.

b) In case the related body is engaged in any of the activities or activities like management system consultancy, internal auditing or training, then certification shall not be provided to the relevant client to whom these services may have been provided by the related body. There shall be a minimum separation of 2 years, in case the related body has had relationship which is generic (not IndG.A.P. certification scheme) in nature, for example, internal audit training, etc.

Then the certification body shall carry out impartiality risk analysis before entertaining the application. Purpose of risk analysis shall be to ascertain if, longer separation than two years is required from the last date of end of relationship as stated above or that the risk is of such unacceptable level so as to prohibit certification by the certification body. Based on the risk analysis appropriate decision shall be taken and the justification for the same shall be recorded.

c) If the certification body and its client are both part of government, the two bodies shall not directly report to a person or group having operational responsibility for both. The certification body shall,



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in view of the impartiality requirement, be able to demonstrate how it deals with a case where both itself and its client are part of government. The certification body shall demonstrate that the applicant receives no advantage and that impartiality is assured.

d) The certification body shall not certify a product on which a client has received consultancy or internal evaluations, where the relationship between the consultancy organization and the certification body poses an unacceptable threat to the impartiality of the certification body. Allowing a minimum period of two years to elapse following the end of the product consultancy is one way of reducing the threat to impartiality to an acceptable level.

e) The certification body shall not outsource/subcontract any part of the certification work, evaluation, etc, to a legal entity that is engaged in designing, manufacture, installation, distribution or maintenance of the certified/to be certified, product, process and service. It shall also not be outsourced to organizations who are likely to provide consultancy / internal auditing services to clients / prospective clients of the certification body.

f) The CB shall not use external evaluators/auditors for the purpose of evaluation of any client, if they, or the organization that employs them, have been engaged in any other activities as stated in “d” above.

g) The CB shall not use personnel who have been involved in, or have had relationships with the Product certification client in any way within the last two years as a minimum, to take part in evaluation/auditing. The period of separation shall be determined by the nature of association. In case the individual concerned has worked for the organization concerned, or provided any farm related process/product related consultancy then the certification body shall not use such person at all.

5. Terms

Impartiality: is the result of the actual and perceived presence of objectivity. Objectivity: means that conflicts of interest do not exist or are resolved so as not to adversely influence subsequent activities of the certification body.

Impartiality is in place when decisions are based on objective criteria, rather than on the basis of bias, prejudice, or preferring the benefit of one party over another.

6. Policy

6.1 Impartiality Policy Statement:



ADITI's is committed to impartiality in certification activities and has the overall responsibility to ensure that certification activities are done in accordance with the relevant Standards, the ADITI's internal procedures, and ISO 17065 requirements. It declares that it understands the importance of impartiality in carrying out its certification activities, has mechanisms in place to identify and manage conflicts of interest and therefore ensures the impartiality of ADITI's certification activities. Aditi will not be influenced on the tendency on the part to allow commercial or other considerations to prevent the consistent impartial provision of certification activities.

6.2 Organization structure: ADITI assures independence, competence, fair working conditions and impartiality in its decisions. ADITI does not have any legal entities or forms a part of such entities whose activities compromise the impartiality of certification process which it is involved in.

ADITI consists of different departments and committees including Impartiality Committee which are closely working together. The organizational chart of ADITI is described in document INF 1.3 ADITI organization structure.

6.3 Resources for ensuring impartiality:

6.3.1 Top Management commitment

- a. ADITI ensures that the certification activities are always undertaken impartially. The Top management is committed to the same. Top management of the ADITI is committed to allocating resources necessary to ensure impartiality when it conducts certification activities.
- b. The risks involved with respect to factors such as relationships of its personnel, governance management, shared resources, execution of sales commission, etc are critically viewed and considered while framing the certification mechanism.
- c. ADITI ensures that the ADITI's inspectors and certification officers may not perform inspection, or make or influence in certification decisions in case of operators,
 - who are their relatives or personal friends.
 - who are or have been their employees or employers, or for whom they have worked as external consultants
 - with whom they have or have had any kind of personal conflict, not directly related to inspection/certification issues.
- d. ADITI ensures that, an inspector must not control the same operation for more than three consecutive years, without external supervision or an independent inspection performed by another inspector to the same operator.
- e. ADITI ensures that the certification process is free of influence, our staff have to disclose all possible conflicts of interests to us. When conflicts of interest are identified, other evaluation staff or inspectors are assigned for a specific operator.
- a. ADITI ensures that the report assessment and certification decision will never be carried out by the same person who did the inspection of the operator.

6.3.2 Documentation:

1. This Impartiality policy and document on Impartiality committee
2. A legally binding conflict of interest (COI) agreement and disclosure form will be executed between the ADITI and all ADITI personnel engaging in certification activities.

	<ol style="list-style-type: none"> 3. Subcontracted third parties sign a contract to ensure that confidentiality and Independency, as well as to avoid any kind of conflict of interest. 4. As a basic measure, all new staff is trained on the importance of impartiality and the procedure at hand during the QM Intro Session. 5. There are signed statements/ declarations on impartiality and independence by the individual ADITI personnel and new staff involved in the verification. 6. Records shall be kept regarding the identification of any threat to impartiality. Records shall be kept regarding corrective action taken to address any threat to impartiality.
<p>7.</p>	<p>Process for ensuring Impartiality:</p>
	<p>Identification of threats to impartiality</p> <ol style="list-style-type: none"> 1. ADITI personnel shall identify threats to impartiality, and they are asked to report to the Quality Manager/ Management in any following cases, <ol style="list-style-type: none"> a) Internal threats to impartiality posed by staff or contractor actions shall be identified. b) Threats to impartiality posed by persons, organizations, or bodies external to the ADITI shall be identified. <p>In any cases where they identified political or some other type of interference in the certification decision making or any other case where they identified a potential conflict of interest.</p> 2. External sources may identify threats to impartiality 3. Any stakeholder may identify and report a perceived threat to impartiality. <p>Identified threats to impartiality shall be communicated immediately to ADITI management. ADITI management shall evaluate the reported threat to determine its validity and a course of corrective action shall be developed and implemented.</p>
<p>8.</p>	<p>Annual impartiality risk assessment:</p> <p>ADITI shall conduct an annual risk assessment regarding threats to impartiality-by-Impartiality Committee, this shall be done as a part of the management review.</p> <p>Description on ADITI Impartiality committee and qualified committee members is stated in the document INF 1.7 Impartiality Committee.</p> <p>The risk assessment shall be conducted in a thorough and rigorous manner to identify threats regarding, but not limited to</p> <ol style="list-style-type: none"> a) Self-interest threats: threats that arise from a person or body acting in its own interest to benefit itself. b) Subjectivity threats: threats that arise when personal bias overrules objective evidence. c) Familiarity threats: threats that arise from a person being familiar with or trusting of another person, e.g., a subcontractor or any ADITI personnel developing a relationship with a client that affects the ability to reach an objective judgment. d) Intimidation threats: threats that prevent an ADITI or its personnel from acting objectively due to fear of a client or other interested party. e) Financial threats: the source of revenue for ADITI or its personnel can be a threat to impartiality. <p>Findings of the risk assessment shall be recorded in form F-2.2.10 Threat analysis and risk assessment form on impartiality and Corrective action indicated by the risk assessment shall be</p>

	implemented in accordance with 9. This review forms elaboration of impartiality issues to be considered during management review.
9.	<p>Corrective action:</p> <p>Where risks to impartiality have been identified as a result of risk analysis, ADITI shall establish and implement a documented procedure for mitigation of threats against impartiality. These shall be through any of the following mitigation means:</p> <ul style="list-style-type: none"> • Not provide certification since the situation poses unacceptable threat to impartiality – prohibition. • Carry out the certification in a restricted manner based on disclosures. New or additional inspection and certification process will be carried out before issuance of certificate. If corrective action requires modification of a certification, any such modifications shall be implemented immediately and reflected in all certification documentation • Minimize the risks on the basis of clearly defined control points to ensure mitigation. • Corrective action shall be sufficient to eliminate the threat and implemented as quickly as possible by assigned qualified personnel or external person(s), as deemed appropriate by ADITI management. <p>If corrective action requires additional training, such training shall take place as soon as possible.</p>
10.	<p>Mechanism for safeguarding impartiality:</p> <p>ADITI appoints a committee to safeguard impartiality. Impartiality Committee maintains an overview of ADITI ‘s activities, including the safeguarding of impartiality and an annual review of the impartiality of the Certification Body’s audit, certification and decision-making activities.</p>
10.1	<p>Impartiality committee composition and Impartiality committee meetings:</p> <p>Members of the Committee are intended to represent a balance of interests in the activities of ADITI. The Impartiality committee shall meet annually, or at a greater frequency if deemed necessary to effectively perform its activities. Meetings may take place in person, or by electronic conference.</p> <p>The detailed description on the Impartiality committee and appointment of committee members, Roles, Responsibilities and Powers of Impartiality committee, Committee meetings, Impartiality review, follow up activities are explained in the document INF 1.7 Impartiality Committee.</p>
10.2	<p>Implementation:</p> <p>Input from the committee shall be implemented by ADITI.</p> <ol style="list-style-type: none"> a) ADITI shall not implement any inputs that conflicts with its operating procedures, mandatory requirements, accreditation requirements, or regulations. Reasons shall be provided for not implementing such input. b) The committee shall have the right to take independent action if ADITI does not implement its input by informing stakeholders, accreditation bodies, or other authorities. Any such informing shall comply with the confidentiality requirements established by the parties involved (client, CB, AB, suppliers, etc.

	<p>c) If the top management of the certification body does not follow the input of this mechanism, the mechanism shall have the right to take Independent action . In taking appropriate action, the confidentiality requirements relating to the client and certification body shall be respected.</p>
	<p>Documentation related to the Annual Impartiality Committee Meetings:</p> <ul style="list-style-type: none"> • Agenda, Attendance and Minutes shall be kept. • Records of committee input shall be maintained. • Records of input implementation shall be maintained.
11.	<p>Related documents:</p> <ul style="list-style-type: none"> • INF 1.7 Impartiality Committee • INF 1.3 Organization Structure. • INF 1.3.1 List of Staff Members • POL-2.1.1 Independence and Conflicts of Interest • POL-4.1.26 Policy on Anti-Bribery and Anti-Corruption • F 2.2.10 Threat Analysis and Risk Assessment form on impartiality • F 2.1.5 Declaration of Independence • F-2.2.8.1 Audit Questionnaire for Partner Organizations • CON-7.1.4 Declaration of Conflicts of Interest • CON-7.3.1 Contract for subcontracting inspections to certification bodies • CON-7.3.2 Contract for subcontracting to laboratories • WI-2.1.4 Independence, Confidentiality, Secrecy

Revision history:

Revision date	Version	Description of changes
02/10/2020	00	<ul style="list-style-type: none"> • Addition of information required to comply with the standard requirements • Merged the documents POL 2.1.1.1 policy on safeguarding impartiality and POL 2.1.1.2, these policies are archived. • Updated ADITI logo with ® mark
09/11/2022	01	<ul style="list-style-type: none"> • Added EU Regulation requirement for accreditation of control body in European union and third countries.
19/12/2022	02	<ul style="list-style-type: none"> • Updated EU regulations requirements in Section 3 Normative framework.



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27/03/2023	03	• Updated INDGAP requirements in 4.6
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