**PROCEDURE – MANAGEMENT OF IMPARTIALITY**

(EGP-4.2, Issue 5, 07.12.2021)

**1. Purpose**

To define the process to safeguard impartiality of certificationand other activities, managing risks and conflicts of interest and achieving objectivity in EKO-Guarantee certification processes.

**2. Reference**

ISO/IEC 17065 - Clause 4.2 and 5.2

**3. Responsibility**

The overall responsibility to safeguard impartiality is with top management (Chairman/CEO) assisted by Technical (Head)and all other personnel involved in certification and otheractivities.

**4. Management of impartiality and Mechanism for safeguarding impartiality**

**4.1** Requirements related to impartiality as specified in 4.2 and 5.2 of ISO/IEC 17065: 2012 and any other requirement, if any, are covered in a single procedure, EGP-4.2.

**4.2Management of impartiality**

**4.2.1**In EKO-Guarantee, certification and other activities are undertaken impartially.

**4.2.2**As ongoing policy, top management of EKO-Guarantee shall always be responsible for the impartiality of its certification and other activities and shall never allow commercial, financial or other pressures to compromise impartiality.

**4.2.2.1**EKO-Guarantee has its top management’s commitment to impartiality in certification and other activities. For this purpose, EKO-Guarantee have issued a publicly accessible statement on its website that it understands the importance of impartiality in carrying out its activities, manages conflict of interests and ensures the objectivity of its certification and other activities (Annexure I).

**4.2.2.2.** Eko guarantee ensures its commitment to impartialityin all aspects by establishing clear boundaries between the related bodies of the certification body. The related bodies and Eko Guarantee Private Ltd are independent of eachother and there is no working relation ship between the certification body and its related bodies whatsoever. The certification body's management personnel and personnel in the review and certification decision-making process shall not be involved in the activities of the related party. The personnel of the related party shall not be involved in the management of the certification body, the review, or the certification decision. Thereby maintaining confidentiality and not compromising the impartiality of certification activities

**4.2.3 Risk identification and analysis**

**4.2.3.1** EKO-Guarantee identifies, analyzes, evaluate, treat, monitor, and document the risks related to conflict of interests arising from provision of certification including any conflicts arising from its relationships on an ongoing basis. It is noted that having relationships does not necessarily present EKO-Guarantee with a conflict of interest.Where there are any threats to impartiality, EKO-Guarantee has documented and can demonstrate how it eliminates or minimizes such threats and document any residual risks. EKO-Guarantee top management reviews any residual risk to determine if it is within the level of acceptable risk.

**4.2.3.2**Sources of threats to impartiality of EKO-Guarantee can be based on ownership, governance, management, personnel, shared resources, finances, contracts, training, marketing and payment of a sales commission or other inducement for the referral of new clients, etc.

**4.3.2**Thedemonstration covers all potential threats that are identified, whether they arise from within EKO-Guarantee or from the activities of other persons, bodies or organizations. There is no relationship, existing at present, which can pose a threat to impartiality (such as wholly owned subsidiary of EKO-Guarantee requesting certification from its parent body).

**4.3.3**The risk assessment process includes identification of and consultation, if required, with appropriate interested parties (stakeholders) to advise on matters affecting impartiality including openness and public perception. It is ensured that the consultation with appropriate interested parties is balanced with no single interest predominating. Such interested parties can include personnel and clients of EKO-Guarantee, customers of organizations whose management systems are certified, representatives of industry trade associations, representatives of governmental regulatory bodies or other governmental services, or representatives of non-governmental organizations, including customer organizations.

**4.4** All EKO-Guarantee personnel, either internal or external, or committees, who could influence the certification activities, shall act impartially and shall not allow commercial, financial or other pressures to compromise impartiality.

**4.5**EKO-Guarantee shall ensure that personnel (internal and external) reveal any situation known to them that can present them or EKO-Guarantee with a conflict of interests. EKO-Guarantee shall record and use this information as input to identifying threats to impartiality raised by the activities of such personnel or by the organizations that employ them, and shall not use such personnel, internal or external, unless they can demonstrate that there is no conflict of interests.

**4.6**EKO-Guarantee enters into legally enforceable agreement with its personnel (internal and external) involved in certification activities to ensure that their relationships and activities do not compromise impartiality in certification decisions.

* 1. Risk analysis is reviewed every three years or on need basis.

**4.8 Mechanism for safeguarding impartiality**

**4.8.1**EKO-Guarantee has constituted an independent committee ofexperts for development, operation and management of its Certification Assessment Scheme (Annexure I of EG.CAS-01). This committee will also provide the mechanism for safeguarding impartiality.

**4.8.2** This committee, as and when required, will provide advice on the following: Mandate of Expert committee to review impartiality and actions to be taken

a) Policies and principles relating to the impartiality of its certification activities;

b) Any tendency on the part of EKO-Guarantee to allow commercial or other considerations to prevent the consistent impartial provision of certification activities;

c) Matters affecting impartiality and confidence in certification, including openness.

d) Review of Client Files and matters affecting conflict of interest and impartiality related to them.

e) Review of relevant Risk and Threats related to Certification services, management impartiality and personnel associated and identifying and proposing actions for any additional risk arising from time to time as oer industry requirements.

**4.8.3** EKO-Guarantee shall ensure the following in the committee:

a) A balanced representation of significantly interested parties, such that no single interest predominates (internal or external personnel of the certification body are considered to be a single interest, and shall not predominate);

b) Access to all the information necessary to enable it to fulfill all itsfunctions.

**4.8.3.1**If the top management of EKO-Guarantee does not follow the advice of committee, the committee shall have the right to take independent action (e.g. informing authorities, accreditation bodies and stakeholders). In taking appropriate action, the confidentiality requirements relating to the client and EKO-Guarantee shall be respected.

**4.8.3.2** Advice that is in conflict with the operating procedures of EKO-Guarantee or other mandatory requirements will not be followed. Top management will document the reasoning behind the decision to not follow the advice and maintain the document for review by appropriate personnel.

**4.8.3.3**Although every interest cannot be represented in the committee, EKO-Guarantee shall identify and invite significantly interested parties. Such interested parties can include clients of EKO-Guarantee, customers of clients, manufacturers, suppliers, users, conformity assessment experts, representatives of industry trade associations, representatives of governmental regulatory bodies or other governmental services, and representatives of non-governmental organizations, including consumer organizations. It can be sufficient to have one representative of each interested party in the committee.

Tsh interests can be limited, depending on the nature of the certification scheme.

**ANNEXURE I**

**EKO-GUARANTEE STATEMENT ON IMPARTIALITY**

**A-1**In EKO-Guarantee, certification and other activities are undertaken impartially.

**A-2**As ongoing policy, top management of EKO-Guarantee shall always be responsible for the impartiality of its certification and other activities and shall never allow commercial, financial or other pressures to compromise impartiality.

**A-3** EKO-Guarantee understands the importance of impartiality in carrying out its activities, manages conflict of interests and ensures the objectivity of its certification and other activities.

**A-4**EKO-Guarantee has a process to identify, analyze, evaluate, treat, monitor, and document the risks related to conflict of interests arising from provision of certification including any conflicts arising from its relationships on an ongoing basis. It is noted that having relationships does not necessarily present EKO-Guarantee with a conflict of interest.Where there are any threats to impartiality, EKO-Guarantee has documented and can demonstrate how it eliminates or minimizes such threats and document any residual risks. EKO-Guarantee top management reviews any residual risk to determine if it is within the level of acceptable risk.

**A-4.1**The demonstration covers all potential threats that are identified, whether they arise from within EKO-Guarantee or from the activities of other persons, bodies or organizations. In EKO-Guarantee there is no relationship which can pose a threat to impartiality (such as wholly owned subsidiary of EKO-Guarantee requesting certification from its parent body).

**A-5**Sources of threats to impartiality of EKO-Guarantee can be based on ownership, governance, management, personnel, shared resources, finances, contracts, training, marketing and payment of a sales commission or other inducement for the referral of new clients, etc.

**A-6**The risk assessment process includes identification of and consultation, if required, with appropriate interested parties (stakeholders) to advise on matters affecting impartiality including openness and public perception. It is ensured that the consultation with appropriate interested parties is balanced with no single interest predominating. Such interested parties can include personnel and clients of EKO-Guarantee, customers of organizations whose management systems are certified, representatives of industry trade associations, representatives of governmental regulatory bodies or other governmental services, or representatives of non-governmental organizations, including customer organizations.

**A-7** All EKO-Guarantee personnel, either internal or external, or committees, who could influence the certification activities, shall act impartially and shall not allow commercial, financial or other pressures to compromise impartiality.

**A-8**EKO-Guarantee shall ensure that personnel (internal and external) reveal any situation known to them that can present them or EKO-Guarantee with a conflict of interests. EKO-Guarantee shall record and use this information as input to identifying threats to impartiality raised by the activities of such personnel or by the organizations that employ them, and shall not use such personnel, internal or external, unless they can demonstrate that there is no conflict of interests.

**A-9** EKO-Guarantee enters into legally enforceable agreement with its personnel (internal and external) involved in certification activities to ensure that their relationships and activities do not compromise impartiality in certification decisions.

**A-10** Top management of EKO-Guarantee ensures that:

1. It is not the designer, manufacturer, installer, distributer or maintainer of the certified product;
2. It is not the designer, implementer, operator or maintainer of the certified Iprocess;
3. t is not the designer, implementer, provider or maintainer of any certified service;
4. it does not offer or provide consultancy to its clients;
5. it does not offer or provide management system consultancy or internal auditing to its clients where the certification scheme requires the evaluation of the client’s management system.

**A-11**EKO-Guarantee activities shall not be marketed or offered as linked with the activities of an organization that provides consultancy. EKO-Guarantee shall not state or imply that certification would be simpler, easier, faster or less expensive if a specified consultancy organization was used.

**A-11.1**Within a period specified by EKO-Guarantee (two years), personnel shall not be used to review or make a certification decision for a product for which they have provided consultancy.

**EKO-Guarantee POLICY ON IMPARTIALITY**

EKO-Guarantee top management is committed to impartiality in its activities for certification and inspection of NON-GMO production and shall not allow commercial, financial, or other pressures to compromise impartiality.

EKO-GUARANTEE understands the importance of impartiality in carrying out its certification and inspection activities, manages conflict of interest and ensures the objectivity of its certification and inspection activities.

EKO-Guarantee, under NO circumstances:

a) Shall provide consultancy which includes: preparation or production of manuals or procedures, or give specific advice, instructions or solutions towards the development, structure and implementation of a certification and inspection systemfor organic production.

b) Shall offer certification when relationships that threaten impartiality cannot be eliminated or minimized.

c) Shall certify an operator when a relationship with a consultancy organization poses an unacceptable threat to impartiality.

d) Shall provide an internal audit service to any certified operator.

e) Shall outsource any inspection to a management consultancy company involved in management systems as described within the scope of these scheme rules.

f) Shall have within any marketing materials any linkage to consultancy.

g) Shall allocate any inspector(s) to inspect any operator scheme where the inspector(s) have also provided training for operator requesting the inspection.

h) Shall be directly involved in the design, manufacture or construction, the marketing, installation, use or maintenance of products, nor represent the parties engaged in those activities.

i) Shall engage in any activity that may conflict with independence of judgement or integrity in relation to its certification and inspection.

j) Shall pay auditors on the basis of the number of inspections done.

For any threats to impartiality that are discovered or reported, consultation shall be held with appropriate interested parties to advice on matters affecting impartiality, including openness and public perception. The consultation shall be balanced with no single interest predominating. .

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| **S. No** |  |  | **Name of Related bodies** | **Name of Stake Holder** | **Designation** | **Nature of Activities** | **Address** | **Pin code** |
| 1 |  |  | EKO GUARANTEE- Unit of Encon | Dr. Selvam Daniel | Partner | Certifications | 310, 3rd floor, SAI TRADE CENTER,( Maharashtra) | 431005 |
| 2 |  |  | Eko-logie Forte Private Limited | Dr. Selvam Daniel | Director | Organic Supply Chain | 310, 3rd floor, SAI TRADE CENTER, ( Maharashtra) | 431005 |
| 3 |  |  | SGNG & Associates | Sachit Gupta | Partner | Chartered Accountancy Firm | A-15/32. LGF, Vasant Vihar ( New Delhi) | 110057 |

**ANNEXURE 1 – Related Bodies of Eko Guarantee Private Limited**