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**DEPARTMENT OF STANDARDS MALAYSIA  
SCHEME FOR THE ACCREDITATION OF CERTIFICATION BODIES  
(The ACB Scheme)**

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**RELATIONSHIP BETWEEN CERTIFICATION  
BODIES AND CONSULTANCY**

**Authority To Issue**

**Director General  
Department of Standards Malaysia**

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## 1. PURPOSE OF THE DOCUMENT

- 1.1 This document details the Standards Malaysia policy regarding the relationship between certification and consultancy related or lead to certification. This document should be seen as an expansion of the Standards Malaysia requirement as detailed in MS ISO/IEC 17021-1, MS ISO/IEC 17024, MS ISO/IEC 27006, ISO/TS 22003 and MS ISO/IEC 17065 and relevant IAF mandatory documents.
- 1.2 This policy shall apply to all certification bodies accredited for the management and operation of all certification programmes.
- 1.3 This policy is important for the interpretation of impartiality requirements of MS ISO/IEC 17021-1, MS ISO/IEC 17024, MS ISO/IEC 27006, ISO/TS 22003 and MS ISO/IEC 17065 and relevant IAF mandatory documents.
- 1.4 This policy shall remain current until otherwise amended, replaced or withdrawn by Standards Malaysia.

## 2. REFERENCES

MS ISO/IEC 17021-1: Conformity assessment – Requirements for bodies providing audit and certification of management systems – Part 1: Requirements

MS ISO/IEC 17065: Conformity assessment - Requirements for bodies certifying products, processes and services

MS ISO/IEC 17024: Conformity assessment – General requirements for bodies operating certification of persons

MS ISO/IEC 27006: Information technology - Security techniques - Requirements for bodies providing audit and certification of information security management systems

ISO/TS 22003: Food safety management systems – Requirements for bodies providing audit and certification of food safety management systems

IAF Mandatory documents

## 3. BACKGROUND

- 3.1 MS ISO/IEC 17021-1 requires that:
  - 1) A certification body shall not certify another certification body for its quality management system:
  - 2) The certification body and any part of the same legal entity and any entity under the organizational control of the certification body shall not offer or provide management system consultancy. This also applies to the part of government identified as the certification body;

- 3) The carrying out of internal audits by the certification body and any part of the same legal entity to its certified client is a significant threat to impartiality. Therefore, the certification body and any part of the same legal entity and any entity under the organizational control of the certification body shall not offer or provide internal audits to its certified clients. A recognized mitigation of this threat is that the certification body shall not certify a management system on which it provided internal audits for a minimum of two years following the completion of the internal audit;
- 4) Where a client has received management systems consultancy from a body that has a relationship with a certification body, this is a significant threat to impartiality. A recognized mitigation of this threat is that the certification body shall not certify the management system for a minimum of two years following the end of the consultancy;
- 5) The certification body shall not outsource audits to a management system consultancy organization, as this poses an unacceptable threat to the impartiality of the certification body. This does not apply to individuals contracted as auditors covered in clause 7.3 of MS ISO/IEC 17021-1;
- 6) The certification body's activities shall not be marketed or offered as linked with the activities of an organization that provides management system consultancy. The certification body shall take action to correct inappropriate links or statements by any consultancy organization stating or implying that certification would be simpler, easier, faster or less expensive if the certification body were used. A certification body shall not state or imply that certification would be simpler, faster or less expensive if a specified consultancy organization were used; and
- 7) In order to ensure that there is no conflict of interests, personnel who have provided management system consultancy, including those acting in a managerial capacity, shall not be used by the certification body to take part in an audit or other certification activities if they have been involved in management system consultancy towards a client. A recognized mitigation of this threat is that personnel shall not be used for a minimum of two years following the end of the consultancy.

3.2 MS ISO/IEC 17065 requires that:

*"The certification body and any part of the same legal entity and entities under its organizational control shall not:*

- 1) be the designer, manufacturer, installer, distributor or maintainer of the certified product;
- 2) be the designer, implementer, operator or maintainer of the certified process;
- 3) be the designer, implementer, provider or maintainer of the certified service;
- 4) offer or provide consultancy; and

- 5) 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.

3.3 MS ISO/IEC 17024 requires certification bodies in relation to training:-

- 1) Completion of training may be a specified requirement of a certification scheme. The recognition/approval of training by the certification body shall not compromise impartiality or reduce the assessment and certification requirements.
- 2) The certification body shall provide information regarding education and training if they are used as pre-requisites for being eligible for certification. However, the certification body shall not state or imply that certification would be simpler, easier or less expensive if any specified education/training services are used.
- 3) Offering training and certification for persons within the same legal entity constitutes a threat to impartiality. A certification body that is part of a legal entity offering training shall:
  - a) Identify and document the associated threats to its impartiality on an ongoing basis: the body shall have a documented process to demonstrate how it eliminates or minimizes those threats;
  - b) Demonstrate that all processes performed by the certification body are independent of training to ensure that confidentiality, information security and impartiality are not compromised;
  - c) Not give the impression that the use of both services would provide any advantage to the applicant;
  - d) Not require the candidates to complete the certification body's own education or training as an exclusive prerequisite when alternative education or training with an equivalence outcome exists;
  - e) Ensure that personnel do not serve as an examiner of a specific candidate they have trained for a period of two years from the date of the conclusion of the training activities: this interval may be shortened if the certification body demonstrates it does not compromise impartiality.

3.4 In formulating this policy, Standards Malaysia has examined the accreditation system as practiced in other national and regional accreditation bodies as well as input from among others international and regional accreditation fora. This policy, is consistent with the existing international guidelines on the interpretation of clause 5.2.4 – 5.2.10 of clause MS ISO/IEC 17021-1, clause 4.2.6 of MS ISO/IEC 17065 or clause 5.2 of MS ISO/IEC 17024

3.5 The underlying principle used to formulate this policy is that it is the duty of a certification body to ensure that it does not mislead its clients as to a possible advantage from using both consulting and certification services, because of any association between a certification and a consultancy service. The

certification bodies must be, and seen to be, and remain independent and impartial in the manner in which it performs its certification service.

#### **4. POLICY**

##### **4.1. Definitions**

##### **4.1.1 In relation to Standards Malaysia's scheme for the accreditation of certification bodies,**

**Consultancy** is defined as:

##### **a) In ISO/IEC 17021-1 – “Management system consultancy”:**

Participation in establishing, implementing or maintaining a management system

Examples as follows;

- i) preparing or producing manuals or procedures;
- ii) giving specific advice instructions or solutions towards the development and implementation of a management system.

##### **b) In ISO/IEC 17065 – consultancy**

Participation in

- i) the designing, manufacturing, installing, maintaining or distributing of a certified product or a product to be certified, or
- ii) the designing, implementing, operating or maintaining of a certified process or a process to be certified, or
- iii) the designing, implementing, providing or maintaining of a certified service or a service to be certified.

In the context of Section 3 above, consultancy relates to or lead to obtaining or maintaining certification

##### **4.2 As Applicable to Certification Bodies**

##### **4.2.1 A certification body, or any related body, shall not be involved in consultancy activities that are related to the certification activities. The term "related body" need not include a body from whose influence the certification body is totally protected by virtue of the structure of its legal entity.**

##### **4.2.2 In the case of an organisation having a corporate structure that has both a consulting arm and a certification body, nothing should be said, or implied, in any marketing material, written or oral.**

- to give the impression that the two activities are linked, or
- to imply that an advantage would be gained as a result of the organisation providing both services; or
- to suggest that certification would be simpler, easier or less expensive if any specific consultancy services were used.

- 4.2.3 A certification body should not permit its name to be linked with any programme or activity in association with a consulting body, or in any marketing material or activity, written or oral:
- that gives the impression that the two activities of consultancy and certification are linked; or
  - that implies that an advantage would be gained in achieving certification as a result of participating in the programme or activity; or
  - to suggest that certification would be simpler, easier or less expensive if the programme or activity was used.
- 4.2.4 Standards Malaysia considers that consultancy has been provided if a training course has been conducted, which was designed to go beyond general principles and concepts in order to provide a company through the participants attending the course, with organisation specific solutions, other than of a casual nature, by way of advising in detail on, for example, organisation structure, quality system structure, product quality plans, policy and/or procedures or work instructions. Inquiries of a casual nature, which elicit quick, off-the-cuff responses, are not considered to be consulting for this purpose.
- 4.2.5 Detailed interpretive guidance on this policy as applicable to organisations including subcontractor organisations is given in **ANNEX 1**.
- 4.3 As Applicable to Individuals
- 4.3.1 Individuals involved in the certification process, including those acting in an audit or review capacity, shall not have been involved in consultancy, as defined in paragraph 4.1.1 of this document, with the organisation being subjected to the certification process, or any body related to the organisation being subjected to the certification process, within the previous two (2) years.
- 4.3.2 Individuals involved in the certification process shall not have any existing commercial or other associations with the body being subjected to certification, which may influence, or be seen to influence their judgment during the certification process.
- 4.3.3 An individual involved in the certification process should not give consultancy as part of an audit.
- 4.3.4 Standards Malaysia considers that consultancy has been provided if an individual presenting a training course is directly involved for any reason in the development and/or implementation of a product, process or service or any document relating specifically to that product, process or service related to or lead to certification.
- 4.3.5 Detailed interpretive guidance on this policy as applicable to individuals including external personnel and temporary staff as given in **ANNEX 1**.

**ANNEX 1**

**Interpretive Guidance to Standards Malaysia Policy on the relationship  
between  
certification bodies and consultancy**

1. Firstly, the certification body shall not under any circumstances provide Secondly, although there is no specific restriction on the services or activities a related body may provide, these shall not affect the confidentiality, objectivity or impartiality of the certification body.
2. Consultancy is considered to be participation in an active and creative manner in the development of the system to be assessed by, for example:
  - a) preparing or producing manuals, handbooks or procedures;
  - b) participating in the decision making process regarding management system matters; and
  - c) giving specific advice towards the development and implementation of management systems for eventual certification.

Note: Management systems as referred to in Para 2 b) above include all aspects of such systems, including financial.

3. Certification bodies can carry out the following duties without them being considered as consultancy or having a potential conflict of interest
  - a) certification including information meetings, planning meetings, examination of documents, auditing and follow up of non-compliances;
  - b) arrange and participate as a lecturer in training courses. They should confine themselves to the provision of generic information and advice which is freely available in the public domain, i.e. they should not provide company specific advice which contravenes the requirements of Para 2(c);
  - c) make available or publish on request information on the basis for the certification body's interpretation of the requirements of the assessment standards;
  - d) activities prior to audit aimed solely at determining readiness for assessment. The documented output of such activities should be capable of confirming compliance with this requirement and should be available for review;
  - e) perform second and third party audits according to other standards or regulations than those being part of the scope of accreditation; and
  - f) an auditor may seek to add value during assessments and surveillance visits, e.g., by identifying opportunities for improvement, as they become evident, during the audit without recommending specific solutions.

4. Consultancy by a related body and certification shall never be marketed together. Nothing shall be stated in marketing material or presentation, written or oral, to give the impression that the two activities are linked. It is the duty of the certification body to ensure that none of its clients is given the impression that the use of both services (certification and consultancy), would bring any business advantage to the client so that the certification remains, and is seen to remain, impartial.
5. Nothing shall be said by a certification body that would suggest that certification would be simpler, easier or less expensive if any specified consultancy or training services were used.
6. A related body, as referred to in clause 5.2.5 of MS ISO/IEC 17021 or clause 4.2.6 MS 17065 or clause 5.2 (c) of MS ISO/IEC 17024, is one which is linked to the certification body by common ownership or directors, contractual arrangement, a common name, informal understanding or other means such that the related body has a vested interest in the outcome of an assessment or confers upon it a potential ability to influence the outcome of an assessment.
7. The certification body should analyse and document the relationship with such related bodies to determine the possibilities for conflict of interest with provision of certification and identify those bodies and activities that could, if not subject to appropriate controls, affect confidentiality, objectivity or impartiality.
8. Certification bodies shall demonstrate how they manage their certification business and any other activities so as to eliminate actual conflict of interest and minimize any identified risk to impartiality. The demonstration should cover all potential sources of conflict of interest, whether they arise from within the certification body or from the activities of related bodies. Accreditation bodies will expect certification bodies to open up these processes for audit. This may include, to the extent practicable and justified, pursuit of carefully limited audit trails to review records of both the certification body and its related body for the activity under consideration. In considering the extent of such audit trails account should be taken of the certification body's history of impartial certification. In the event of evidence existing of failures to maintain impartiality there may be a need to extend the audit trail back into the related bodies to provide assurance that control over potential conflicts of interest has been re- established.
9. The requirements of clause 7.1.2 of Clause MS ISO/IEC 17021-1, clause 6.1.2.1 of MS ISO/IEC 17065 and 6.1.1 of ISO/IEC 17024 mean that people who have provided consultancy, including those acting in a managerial capacity, shall not be employed as part of the certification process such as to conduct an audit or make a certification decision if they have been involved in any consultancy activities towards the organisation in question, (or anybody related to that organisation and having a similar system , within the last two years. Situations such as an employer's involvement or previous involvement with the organisation being assessed may present individuals involved in any part of the certification process with a conflict of interest. The certification body has a responsibility to identify and evaluate such situations and to assign responsibilities and tasks so as to ensure that impartiality is not compromised.

10. The senior executive, staff and/or personnel mentioned in clause 5.2 of MS ISO/IEC 17021-1 or clause 4.2.6 of MS ISO/IEC 17065 or clause 5.2 of MS ISO/IEC 17024 may not necessarily be full-time personnel, but their other employment shall not be such as to compromise their impartiality
11. The certification body shall require all assessment sub-contractors or external personnel to give undertakings regarding the marketing of any consultancy services equivalent to those required by Para 4 and 5 of this Annex.
12. The certification body shall be responsible for ensuring that neither related bodies, nor sub-contractors, nor external assessors / auditors operate in breach of the undertakings that they have given. It shall also be responsible for implementing appropriate corrective action in the event such a breach is identified.
13. The certification body shall be independent from the body or bodies (including any individuals) which provide the internal audit of the organisation's system subject to certification.
14. An auditor should explain the audit findings and/or clarify the requirements of the assessment standard during the audit and / or at the closing meeting but shall not give prescriptive advice or consultancy as part of an assessment.