ISAB MD 22: Application of ISO/IEC 17021-1 for the Certification of Occupational Health and Safety Management Systems (OH&SMS)

Document Reference	Issue Date	Application Date
ISAB MD 22:2023 (Issue 2, Version 2)	14 June 2023	07 May 2020

The International Standards & Accreditation Board (ISAB) facilitates trade and supports industry and regulators by operating a worldwide mutual recognition arrangement among Accreditation Bodies (ABs) in order that the results issued by Conformity Assessment Bodies (CABs) accredited by ISAB members can be accepted globally.
Accreditation reduces risk for business and its customers by assuring them that accredited CABs are competent to carry out the work they undertake within their scope of accreditation.
ABs that are members of ISAB and their accredited CABs are required to comply with appropriate international standards and ISAB mandatory documents for the consistent application of those standards.

0. INTRODUCTION

This document is mandatory for the consistent application of ISO/IEC 17021-1:2015 for the accreditation of Certification Bodies providing certification of Occupational Health and Safety Management Systems (OH&SMS). All clauses and Annexes of ISO/IEC 17021-1:2015 continue to apply and this document does not supersede any of the requirements of that standard. This document not only applies for certification to OHSAS 18001 but shall also be used for certification to other OH&SMS such as ISO 45001 and other standards. National legislation will prevail in case of conflict with this document.
This issue 2 includes two mandatory appendices which introduce specific OH&SMS requirements to the following ISAB and EA documents:

- Appendix A - Legal Compliance as a Part of Accredited OH&SMS Certification
- Appendix B - Scope of Accreditation

Specific criteria are identified by the letter "G" followed with a reference number that incorporates the related requirements clause in ISO/IEC 17021-1:2015. For multi-site organisations ISAB MD1:2018 applies.

3. TERMS AND DEFINITIONS

G 3.3 In addition to ISO/IEC 17021-1, additional services provided in the field of Occupational Health and Safety are also considered as management systems consultancy. These include, but are not limited to:

i. performing the role of Occupational Health and Safety coordinator,
ii. safety reporting,
iii. performing risk assessments,
iv. communication with regulatory authorities on behalf of the client, and
v. accident and incident investigation.

4. PRINCIPLES

G 4.1.2 In addition to both managerial and non-managerial permanent and temporary workers, and their representatives, parties that have an interest in an OH&SMS certification include, but are not limited to:

i. legal and regulatory authorities (local, regional, national or international),
ii. parent organizations,
iii. suppliers, contractors and subcontractors,
iv. workers' organizations (trade unions) and employers' organizations,
v. owners, shareholders, clients, visitors, relatives of workers, local community and neighbours of the organization and the general public,
vi. customers, medical and other community services, media, academia, business associations and non-governmental organizations (NGOs), and
vii. occupational health and safety organizations and occupational safety and health-care professionals (for example doctors and nurses).

7. RESOURCE REQUIREMENTS

G 7.1.2 (in the note) For Occupational Health and Safety management systems, the term "technical area" is related to commonalities of processes or services and their associated hazards which can expose workers to OH&S risks.

8. INFORMATION REQUIREMENTS

G 8.5.3 The legally enforceable arrangements shall also require that the certified client informs the Certification Body, without delay, of the occurrence of a serious incident or breach of regulation necessitating the involvement of the competent regulatory authority.

9. PROCESS REQUIREMENTS

9.1 Pre-Certification Activities

G 9.1.1 The information provided to the Certification Body by the authorized representative of the applicant organisation on its processes and activities shall also include the identification of the key hazards and OH&S risks associated with processes, the main hazardous materials used in the processes, and any relevant legal obligations coming from the applicable OH&S legislation.
G 9.1.4 The audit time of OH&SMS audits shall be determined in accordance with ISAB MD5. If the client provides services at another organisation's premises, the CAB shall verify that the client's OH&SMS covers these offsite activities.
G 9.1.5 In the case of OH&SMS operated over multiple sites it is necessary to establish if sampling is permitted or not based on the evaluation of the level of OH&S risks associated to the nature of activities and processes carried out in each site included in the scope of certification. Temporary sites covered by the organization's OH&SMS are subject to audit on a sample basis to provide evidence of the operation and effectiveness of the management system (see clause 9 of ISAB MD5).

9.2 Planning Audits

G 9.2.1.2 b) For the determination of the ability of the management system to ensure the client meets applicable statutory, regulatory and contractual requirements, the approach described in Appendix A shall be applied.
G 9.2.1.3 The OH&SMS shall include activities, products and services within the organization's control or influence that can impact the organization's OH&SMS performance.

9.4 Conducting Audits

G 9.4.4.2 The audit team shall interview the following personnel: the management with legal responsibility for Occupational Health and Safety, employees' representative(s) with responsibility for OH&S, personnel responsible for monitoring employees' health (e.g. doctors and nurses), and managers/permanent/temporary employees.
G 9.4.5.3 The Certification Body shall have procedures detailing the actions to be taken in the event that it discovers a non-compliance with relevant regulatory requirements. These procedures shall include a requirement that any such non-compliances are immediately communicated to the organization being audited.
G 9.4.7.1 The organization representative shall be requested to invite the management legally responsible for occupational health and safety, personnel responsible for monitoring employees' health and the employees' representative(s) with responsibility for occupational health and safety to attend the closing meeting.

9.6 Maintaining Certification

G 9.6.4.2 Independently from the involvement of the competent regulatory authority, a special audit may be necessary in the event that the Certification Body becomes aware that there has been a serious incident related to occupational health and safety, for example, a serious accident, or a serious breach of regulation.
G 9.6.5.2 Information on incidents such as a serious accident, or a serious breach of regulation necessitating the involvement of the competent regulatory authority, shall provide grounds for the Certification Body to decide on the actions to be taken, including a suspension or withdrawal of the certification, in cases where it can be demonstrated that the system seriously failed to meet the OH&S certification requirements.

APPENDIX A (normative) - LEGAL COMPLIANCE AS A PART OF ACCREDITED OH&SMS CERTIFICATION

A.0.1 Considering the various viewpoints, the following definition for "legal compliance" is used: "Conformity with the law, in such a way that the intended outcome is realised." While certification of an OH&SMS against the requirements of the applicable OH&SMS standard is not a guarantee of legal compliance, it is a proven and efficient tool to achieve and maintain such legal compliance.
A.1.1 Through the certification assessment process, a Certification Body shall evaluate an organisation's conformity with the requirements of an OH&SMS standard as they relate to legal

compliance and shall not grant certification until conformity with these requirements can be demonstrated.

A.1.5 Deliberate or consistent non-compliance shall be considered a serious failure to support the policy commitment to achieving legal compliance and shall preclude certification or cause an existing OH&SMS standard certificate to be suspended, or withdrawn.

A.2.2 The organisation shall be able to demonstrate that it has achieved compliance with the legal OH&S requirements that are applicable to it through its own evaluation of compliance prior to the Certification Body granting certification.

A.2.3 Where the organization may not be in legal compliance, it shall be able to demonstrate it has activated an implementation plan to achieve full compliance within a declared date, supported by a documented agreement with the regulator, wherever possible for the different national conditions.

A.3.3 It should be stressed that Certification Body auditors are not inspectors of the OH&S regulator. They should not provide "statements" or "declarations" of legal compliance. Nevertheless, they can "verify the evaluation of legal compliance" in order to assess conformity with the applicable OH&SMS standard.

APPENDIX B (normative) - SCOPE OF ACCREDITATION

The accredited scope of an OH&S Certification Body shall be expressed in terms of one or more elements from the list of economic activities reported in the Annex of the Document ISAB-ID1:2014, as amended for OH&SMS. *(Note: Example NACE scope codes 1-39 omitted for brevity but remain structurally identical to the original framework determining risk based on economic sector hazards.)*

