



ISAB Mandatory Document for the Harmonization of Sanctions and Dealing with Fraudulent Behaviour

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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.

This document is mandatory for the consistent application of Clauses 7.2 and 7.11 of ISO/IEC 17011:2017 under specific circumstances described in this document. This document does not supersede any of the requirements of that standard.

0. INTRODUCTION

- **0.1** Under ISO/IEC 17011, accreditation bodies (ABs) are required to have procedures for suspension, withdrawal or reduction of the accreditation scope and to initiate the process for withdrawal of accreditation under certain circumstances (refer to ISO/IEC 17011:2017 clauses 7.11.1 and 7.11.2).
- **0.2** The intention of this document is to clarify the situations where sanctions shall be applied to applicant or accredited conformity assessment bodies (CABs) and the subsequent necessary communication which shall be taken by ABs.
- **0.3** This document is applicable not only to the scope of the ISAB MLA but also to any other ISAB activities related to accreditation. It may also be applied for other situations at the discretion of individual ABs, CABs, third parties, regulators, scheme owners, public authorities or others.
- **0.4** Clause 2 describes some specific situations that should lead to sanctions by an AB and Clause 3 describes sanctions that are normally applied progressively by an AB.



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- **0.5** Clauses 4 and 5 describe specific instances in which there shall be a harmonized approach by all ABs.
- **0.6** Annex A (normative) provides requirements regarding the approach to be taken by ABs when fraudulent behaviour is identified from applicant CABs, accredited CABs, and/or their clients.
- **0.7** Annex B (informative) provides background and context to the requirements of Clause 4.2 of this Mandatory Document.

1. NORMATIVE REFERENCES

- ISO/IEC 17011 Conformity assessment - Requirements for accreditation bodies accrediting conformity assessment bodies
- ISO/IEC 17030 Conformity assessment - General requirements for third-party marks of conformity
- ISO/IEC 17021-1 Conformity assessment - Requirements for bodies providing audit and certification of management systems Part 1: Requirements
- ISO/IEC 17024 Conformity assessment - General requirements for bodies operating certification of persons
- ISO/IEC 17065 Conformity assessment - Requirements for bodies certifying products, processes and services
- ISO/IEC 17029 Conformity assessment - General principles and requirements for validation and verification bodies

2. INITIATION OF SANCTIONS

2.1 Situations that lead to sanctions being applied to applicant or accredited CABs include, but are not limited to the following:

- Failure to resolve nonconformities in accordance with an AB's procedures.
- Negative outcome of a complaint investigation.
- Misuse/misrepresentation of an accreditation symbol (see ISO/IEC 17011:2017 clause 4.3.5 and NOTE).
- Non-compliance with relevant laws, regulations, decrees or directives, as applicable to the accreditation scope.
- Situations described in Clause 4 of this document, including evidence of fraudulent behaviour (see 4.1).



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- Non-payment of fees to the AB.

3. SANCTIONS AVAILABLE

3.1 Sanctions available include, but are not limited to:

- Intensification of surveillance and targeted investigations (including document review and/or office or witness assessments).
- Reduction of accreditation scope (including locations covered in the scope).
- Suspension of accreditation.
- Withdrawal of accreditation.
- Suspending or terminating the process for initial accreditation or extension of accreditation.
- Public notice of scope reduction, suspension, withdrawal or misrepresentation of accreditation.
- Legal actions.

Notes: Nothing in this mandatory document overrides the CABs' right to appeal against a decision as described in ISO/IEC 17011:2017 clause 7.13. Application of sanctions does not preclude legal action by third parties, regulators, scheme owners, public authorities or any other interested parties.

4. SPECIFIC HARMONIZED SANCTIONS

The following are situations requiring specific sanctions by the AB:

- **4.1** As described in ISO/IEC 17011:2017 clause 7.11.2, where there is evidence of fraudulent behavior, or the CAB intentionally provides false information or conceals information or, in addition, if the CAB deliberately violates accreditation rules, the AB shall initiate its process for withdrawal of accreditation or termination of the CAB's application or renewal (as applicable). Refer to Annex A.
- **4.2** Where a CAB is providing third-party conformity assessment to ISAB MLA or ILAC MRA Level 1 to 4 standards used as a basis for accrediting CABs (e.g. ISO/IEC 17025, ISO/IEC 17020, ISO 15189) the AB shall suspend the CAB's application process or initiate its process for suspension of accreditation (as applicable). Refer to Annex B.
 - Further decisions shall be based on the actions taken by the CAB.
 - ABs shall include a suitable provision on such a possibility in their contractual arrangements with CABs.



5. COMMUNICATION

- **5.1** In case of suspension or withdrawal of accreditation, public notice is mandatory (see ISO/IEC 17011:2017 Clause 8.2.2).

Note: It is important to maintain information updated on any relevant ISAB database, including information on suspended/withdrawn accreditations and associated attestations of conformity.

- **5.2** In each of the situations mentioned in clauses 4.1 and 4.2 that lead to suspension or withdrawal of accreditation and after any appeal decision in accordance with the AB's appeals procedures, the AB shall notify the ISAB Secretariat of this decision and the reasons. The ISAB Secretary shall then communicate the decision and status to all ISAB Member ABs in the following format:

"[Name of AB] [state the action as 'withdrew' or 'suspended'] accreditation of [Name of CAB] on [date] pursuant to [ISAB MD 7 Clause 4.1 or Clause 4.2]"

Annex A (normative): Process to deal with allegations of fraudulent behaviour

The AB shall:

1. **A1)** Develop and publish a statement about how the AB proposes to deal with fraudulent behaviour by accredited CABs and/or their clients.
2. **A2)** Have policies, procedures and legally enforceable arrangements in place that will enable the AB to respond to such fraudulent behaviour.
3. **A3)** Have in place the necessary arrangements to receive, validate, act on, and transmit information on allegations of fraudulent behaviour to relevant interested parties (including relevant ISAB member ABs).
4. **A4)** Have processes necessary to establish the validity of any allegations of fraudulent behaviour against an applicant or accredited CAB, and the CAB's failure to adequately deal with allegations of fraudulent behaviour by its clients.
5. **A5)** Have in place measures to respond effectively and proportionately to fraudulent behaviour.
6. **A6)** Respect and support any legitimate actions taken by another ISAB Member AB to manage fraudulent behaviour.



Annex B (informative): CABs providing conformity assessment to any standard used as a basis for accreditation

Clause 4.2 of this mandatory document is based on joint resolution principles, stating that when a Conformity Assessment Body (CAB), accredited by an Accreditation Body (AB), is providing certification or other conformity assessment (including validation and verification) to any standard used as a basis for accrediting CABs (e.g. ISO/IEC 17025 or ISO 15189), the AB shall initiate its process for suspension of accreditation. This prevents the AB, against its will, from providing the same service that a CAB performs, in violation of clause 4.3.6 of ISO/IEC 17011.