General terms and conditions Certification process management systems	

Content

**General terms and conditions - Certification process management systems
Supplement to Section 2.3.3 and 3.1.5**

1. Purpose

INTERCERT GmbH - Group of MTIC (hereinafter **INTERCERT**), belongs to the international Group of MTIC and operates as a conformity assessment body for management systems (hereinafter referred to as systems) with reference to recognized international and national standards.
The accreditations recognized, with the relative sectors, are available online on the website www.mtic-group.org or on the websites of the accreditation bodies.
This document defines the contractual conditions applicable to the services listed in chapter 2. "Scope of application"
Any special provisions, applicable only to some certification schemes, are detailed in specific documents specifically prepared for this purpose and which supplement the present regulation.

2. Scope of application

The conditions defined in this regulation apply to the certification of management systems in accordance with national and international reference regulations.
INTERCERT applies the conditions and certification procedures in a non-discriminatory manner as:
• the services are accessible to all the organizations that request them and that contractually commit themselves to observe the requirements reported in the regulation itself;
• no penalizing financial or other conditions are adopted;
• access to evaluation and certification is not affected by the size of the applicant organization or by membership of particular associations or groups.
The correct application of the certification conditions and procedures is verified by the impartiality committee (Governing Board - GB) of **INTERCERT** in which the parties interested in the certification activities are represented (associations, public administrations, Bodies of standardization and research, purchasers, producers) and whose task it is to guarantee impartiality.
Advice and assistance in the development, implementation and obtaining of management system certification are not among the services offered by **INTERCERT**, in accordance with the regulations and provisions issued by the accreditation and standardization bodies.

3. Certification process

3.1. Pre-certification activities

3.1.1. General

The organization that intends to request InterCert services must have a documented management system in accordance with the requirements of the reference standard(s) chosen.

The organization shall implement and maintain the management system and demonstrate its adequacy in accordance with the documentation developed, the requirements of the reference standard(s) and the scope of application.

The organization - at the time of the first certification audit - shall have:

- completed a complete cycle of internal audits;

- carried out at least one full review of the system;

- prepared and signed a declaration of compliance with mandatory requirements, a necessary condition for environmental management systems (EMS) and occupational health and safety management systems (OH&SMS). The general principle is that maintaining and assessing compliance with mandatory requirements is the responsibility of the organization managing the EMS – OH&SMS. **INTERCERT** only carries out random checks to gain confidence with the system and verify that it is effective and that, in the event of non-compliance with these requirements, the organization takes appropriate corrective action.

- provided **INTERCERT** with the necessary information on the specific risks existing in the environment in which the audit team will carry out its activities and on the prevention and emergency measures adopted;

- provided any personal protective equipment to the members of the assessment team or previously communicated to InterCert the type of personal protective equipment with which the audit team must be equipped.

In all the checks provided for in the certification cycle, the customer must:

1) provide all the information necessary to carry out the assessment, including

a. all the descriptive documentation required by the reference standards (e.g. manual, procedures, instructions etc.)

b. all the registrations required by the reference standards (e.g. for ISO 9001 certification the internal audit reports)

2) without any delay send written information to **INTERCERT** in the occurence of:

a. serious incident or breach of regulation necessitating the involvement of the competent regulatory authority;

b. ongoing legal proceedings;

3) define and indicate its representatives in the organization chart, the document will be available to InterCert staff. These representatives will be the main interlocutors of the InterCert evaluators, the various stages of the verification, if the customer intends to involve other people (eg. consultants) must ensure that their role is observer and does not affect or delay the audit activities.

In order to ensure that the evaluation methods adopted by InterCert comply with the reference standards, the Certification Authority (Accreditation Authority) may request:

- the participation of its observers in the audits carried out by InterCert;

- visits to the certified organization, directly through the use of its own personnel.

The participation of observers in the audits and/or any visit carried out directly through the use of Accreditation Body personnel is previously agreed between InterCert and the organization.

If the organization does not grant its approval, the validity of the certificate is suspended until the approval is granted, for a maximum period of 3 (three) months.

After the expiry of the 3 (three) months, in the absence of approval for verification, the certificate is revoked.

The methods of verification used by the Accreditation Bodies, are reported in special regulations and / or communications / circulars available on their websites.

The organization shall make available to the Accreditation Body the documentation that **INTERCERT** referred to during the previous audits.

3.1.2. Application

INTERCERT requires an authorized representative of the applicant organization to provide the necessary information to enable it to establish the following:

a) the desired scope of the certification;

b) relevant details of the applicant organization as required by the specific certification scheme, including its name and the address(es) of its site(s), its processes and operations, human and technical resources, functions, relationships and any relevant legal obligations;

c) identification of outsourced processes used by the organization that will affect conformity to requirements;

d) the standards or other requirements for which the applicant organization is seeking certification;

e) whether consultancy relating to the management system to be certified has been provided and, if so, by whom.

The authorized representative of the applicant can fill the form **TIC-F-MS-03** - *Questionnaire for issuing offer* and, where applicable, the related sub-form(s) downloadable from **INTERCERT** website or available on demand. It is also possible provide the necessary information without filling directly the form(s) (e.g. contacting

INTERCERT by phone or sending an e-mail). INTERCERT checks the completeness of the information prior to proceed to the application review.

3.1.3. Application review

INTERCERT conducts a review of the application and supplementary information.

3.1.4. Audit programme

An audit programme for the full certification cycle is developed to clearly identify the audit activity/activities required to demonstrate that the client's management system fulfils the requirements for certification to the selected standard(s) or other normative document(s). The audit programme for the certification cycle covers the complete management system requirements.

The audit programme for the initial certification includes a two-stage initial audit, surveillance audits in the first and second years following the certification decision, and a recertification audit in the third year prior to expiration of certification. The first three-year certification cycle begins with the certification decision. Subsequent cycles begin with the recertification decision

The determination of the audit programme and any subsequent adjustments consider the size of the client, the scope and complexity of its management system, products and processes as well as demonstrated level of management system effectiveness and the results of any previous audits.

The following list contains additional items that can be considered when developing or revising an audit programme, they might also need to be addressed when determining the audit scope and developing the audit plan:

— complaints received by INTERCERT about the client;

— combined, integrated or joint audit

— changes to the certification requirements;

— changes to legal requirements;

— changes to accreditation requirements;

— organizational performance data (e.g. defect levels, key performance indicators data);

— relevant interested parties' concerns.

If specified by the industry specific certification scheme, the certification cycle can be different from three years.

Surveillance audits are conducted at least once a calendar year, except in recertification years. The date of the first surveillance audit following initial certification is not more than 12 months from the certification decision date.

It can be necessary to adjust the frequency of surveillance audits to accommodate factors such as seasons or management systems certification of a limited duration (e.g. temporary construction site).

Where the client operates shifts, the activities that take place during shift working are considered when developing the audit programme and audit plans.

3.1.5. Determining audit time

In determining the audit time, INTERCERT considers, among other things, the following aspects:

a) the requirements of the relevant management system standard;

b) complexity of the client and its management system;

c) technological and regulatory context;

d) any outsourcing of any activities included in the scope of the management system;

e) the results of any prior audits;

f) size and number of sites, their geographical locations and multi-site considerations;

g) the risks associated with the products, processes or activities of the organization;

h) whether audits are combined, joint or integrated.

Time spent travelling to and from audited sites is not included in the calculation of the duration of the management system audit days.

Where specific criteria have been established for a specific certification scheme, e.g. ISO/TS 22003 or ISO/IEC 27006, these are applied.

The use of translators and interpreters can necessitate additional time.

3.1.6. Multi-site sampling

Where multi-site sampling is used for the audit of a client's management system covering the same activity in various geographical locations, **INTERCERT** develops a sampling programme to ensure proper audit of the management system. The rationale for the sampling plan is documented for each client. Sampling is not allowed for some specific certification schemes, and where specific criteria have been established for a specific certification scheme, e.g. ISO/TS 22003, these are applied.

Where there are multiple sites not covering the same activity sampling is not appropriate.

3.1.7. Multiple management systems standards

When certification to multiple management system standards is being provided by **INTERCERT**, the planning for the audit ensures adequate on-site auditing to provide confidence in the certification.

3.2. Planning audits

3.2.1. Determining audit objectives, scope and criteria

The audit scope and criteria, including any changes, are established by **INTERCERT** after discussion with the client. The audit objectives describe what is to be accomplished by the audit and includes the following:

a) determination of the conformity of the client's management system, or parts of it, with audit criteria;

b) determination of the ability of the management system to ensure the client meets applicable

statutory, regulatory and contractual requirements;

A management system certification audit is not a legal compliance audit.

c) determination of the effectiveness of the management system to ensure the client can reasonably expect to achieving its specified objectives;

d) as applicable, identification of areas for potential improvement of the management system.

The audit scope describes the extent and boundaries of the audit, such as sites, organizational units, activities and processes to be audited. Where the initial or re-certification process consists of more than one audit (e.g. covering different sites), the scope of an individual audit may not cover the full certification scope, but the totality of audits are consistent with the scope in the certification document.

The audit criteria are used as a reference against which conformity is determined, and includes:

— the requirements of a defined normative document on management systems;

— the defined processes and documentation of the management system developed by the client.

3.2.2. Audit plan

3.2.2.1. General

INTERCERT ensures that an audit plan is established by the **Lead Auditor** prior to each audit identified in the audit programme to provide the basis for agreement regarding the conduct and scheduling of the audit activities. Audit plan is integral part of **INTERCERT** audit report.

3.2.2.2. Communication of audit plan

The audit plan is communicated and the dates of the audit are agreed upon, in advance, with the client. Usually at least 7 working days prior the audit date, the audit plan is sent via e-mail to the client by the **Lead Auditor**. In exceptional case a shorter time may occur if agreed with the client.

3.2.2.3. Communication concerning audit team members

INTERCERT provides the name of and, when requested, make available background information on each member of the audit team, with sufficient time (5 working days) for the client to object to the appointment of any particular audit team member and for **INTERCERT** to reconstitute the team in response to any valid objection. In exceptional case a shorter time may occur if agreed with the client. The communication between **INTERCERT** and client is managed through e-mail.

3.3. Preliminary audit

The client can request a preliminary audit; this kind of audit is always optional and is not considered part of the certification cycle. Results of the preliminary audit cannot be used in substitution of any part of a regular audit. Objectives of preliminary audit are agreed with the client. Audit duration is established upon the objectives of the audit. A simplified audit report can be released upon request. In case of nonconformities the auditor refrains from suggesting specific solution.

3.4. Initial certification

3.4.1. Initial certification audit

3.4.1.1. General

The initial certification audit of a management system is conducted in two stages: stage 1 and stage 2.

3.4.1.2. Stage 1

Planning ensures that the objectives of stage 1 can be met and the client is informed of any “on site” activities during stage 1.

The objectives of stage 1 are to:

a) review the client’s management system documented information;

b) evaluate the client’s site-specific conditions and to undertake discussions with the client’s personnel to determine the preparedness for stage 2;

c) review the client’s status and understanding regarding requirements of the standard, in particular with respect to the identification of key performance or significant aspects, processes, objectives and operation of the management system;

d) obtain necessary information regarding the scope of the management system, including:

— the client’s site(s);

— processes and equipment used;

— levels of controls established (particularly in case of multisite clients);

— applicable statutory and regulatory requirements;

e) review the allocation of resources for stage 2 and agree the details of stage 2 with the client;

f) provide a focus for planning stage 2 by gaining a sufficient understanding of the client’s management system and site operations in the context of the management system standard or other normative document;

g) evaluate if the internal audits and management reviews are being planned and performed, and that the level of implementation of the management system substantiates that the client is ready for stage 2.

Stage 1 is always conducted on site.

Documented conclusions with regard to fulfilment of the stage 1 objectives and the readiness for stage 2 are communicated to the client, including identification of any areas of concern that could be classified as a nonconformity during stage 2. The results of the stage 1 are integral part of **INTERCERT** audit report (See also Annexes to this procedure for the reference document for each certification scheme).

In determining the interval between stage 1 and stage 2, consideration is given to the needs of the client to resolve areas of concern identified during stage 1. The maximum interval between stage 1 and stage 2 is 6 months; after this period a new stage 1 has to be performed. If agreed by the client, it is possible program the stage 2 audit immediately after stage 1; this program, can be confirmed only in absence of areas of concern identified during stage 1.

INTERCERT may also need to revise its arrangements for stage 2.

If any significant changes which would impact the management system occur between stage 1 and 2, the client has to inform INTERCERT; INTERCERT considers the need to repeat all or part of stage 1.

If any significant changes which would impact the management system are reported by **Lead Auditor,** INTERCERT considers the need to repeat all or part of stage 1.

The client is informed that the results of stage 1 may lead to postponement or cancellation of stage 2.

3.4.1.3. Stage 2

The purpose of stage 2 is to evaluate the implementation, including effectiveness, of the client's management system. The stage 2 takes place at the site(s) of the client. It includes the auditing

of at least the following:

a) information and evidence about conformity to all requirements of the applicable management system standard or other normative documents;

b) performance monitoring, measuring, reporting and reviewing against key performance objectives and targets (consistent with the expectations in the applicable management system standard or other normative document);

c) the client's management system ability and its performance regarding meeting of applicable statutory, regulatory and contractual requirements;

d) operational control of the client's processes;

e) internal auditing and management review;

f) management responsibility for the client's policies.

3.4.1.4. Initial certification audit conclusions

The audit team analyses all information and audit evidence gathered during stage 1 and stage 2 to review the audit findings and agree on the audit conclusions.

3.5. Conducting audits

3.5.1. General

On site audit includes an opening meeting at the start of the audit and a closing meeting at the conclusion of the audit.

Where any part of the audit is made by electronic means or where the site to be audited is virtual, INTERCERT ensures that such activities are conducted by personnel with appropriate competence. The evidence obtained during such an audit is sufficient to enable the auditor to take an informed decision on the conformity of the requirement in question.

On-site audits can include remote access to electronic site(s) that contain(s) information that is relevant to the audit of the management system. Consideration can also be given to the use of electronic means for conducting audits.

3.5.2. Conducting the opening meeting

A formal opening meeting, is held with the client's management and, where appropriate, those responsible for the functions or processes to be audited. The purpose of the opening meeting, usually conducted by the **Lead Auditor**, is to provide a short explanation of how the audit activities will be undertaken. The degree of detail is consistent with the familiarity of the client with the audit process and considers the following:

a) introduction of the participants, including an outline of their roles;

b) confirmation of the scope of certification;

c) confirmation of the audit plan (including type and scope of audit, objectives and criteria), any changes, and other relevant arrangements with the client, such as the date and time for the closing meeting, interim meetings between the audit team and the client's management;

d) confirmation of formal communication channels between the audit team and the client;

e) confirmation that the resources and facilities needed by the audit team are available;

f) confirmation of matters relating to confidentiality;

g) confirmation of relevant work safety, emergency and security procedures for the audit team;

h) confirmation of the availability, roles and identities of any guides and observers;

i) the method of reporting, including any grading of audit findings;

j) information about the conditions under which the audit may be prematurely terminated;

k) confirmation that the **Lead Auditor** and audit team representing INTERCERT is responsible for the audit and is in control of executing the audit plan including audit activities and audit trails;

l) confirmation of the status of findings of the previous review or audit, if applicable;

m) methods and procedures to be used to conduct the audit based on sampling;

n) confirmation of the language to be used during the audit;

o) confirmation that, during the audit, the client will be kept informed of audit progress and any concerns;

p) opportunity for the client to ask questions.

3.5.3. Communication during the audit

During the audit, the audit team periodically assesses audit progress and exchange information. The **Lead Auditor** reassigns work as needed between the audit team members and periodically communicates the progress of the audit and any concerns to the client.

Where the available audit evidence indicates that the audit objectives are unattainable or suggests the presence of an immediate and significant risk (e.g. safety), the **Lead Auditor** reports this to the client and, if possible, to **Certification Manager** to determine appropriate action. Such action may include reconfirmation or modification of the audit plan, changes to the audit objectives or audit scope, or termination of the audit. The **Lead Auditor** reports the outcome of the action taken to **INTERCERT**.

The **Lead Auditor** reviews with the client any need for changes to the audit scope which becomes apparent as on-site auditing activities progress and report this to **Certification Manager**.

3.5.4. Obtaining and verifying information

During the audit, information relevant to the audit objectives, scope and criteria (including information relating to interfaces between functions, activities and processes) are obtained by appropriate sampling and verified to become audit evidence.

Methods to obtain information includes, but are not limited to:

a) interviews;

b) observation of processes and activities;

c) review of documentation and records.

3.5.5. Identifying and recording audit findings

Audit findings summarizing conformity and detailing nonconformity are identified, classified and recorded to enable an informed certification decision to be made or the certification to be maintained. Audit findings are recorded on **INTERCERT** audit report (See also Annexes to this procedure for the reference document for each certification scheme).

Opportunities for improvement are identified and recorded, unless prohibited by the requirements of a management system certification scheme. Audit findings, however, which are nonconformities, aren´t recorded as opportunities for improvement.

A finding of nonconformity is recorded against a specific requirement, and contains a clear statement of the nonconformity, identifying in detail the objective evidence on which the nonconformity is based. Nonconformities are discussed with the client to ensure that the evidence is accurate and that the nonconformities are understood. The auditor however refrains from suggesting the cause of nonconformities or their solution.

In case of non compliance with relevant regulatory requirements pertaining to the kind of management system being audited, a major non conformity is raised; any such non-compliances are immediately communicated to the organization being audited.

The **Lead Auditor** attempts to resolve any diverging opinions between the audit team and the client concerning audit evidence or findings, and unresolved points are recorded.

3.5.6. Preparing audit conclusions

Under the responsibility of the **Lead Auditor** and prior to the closing meeting, the audit team:

a) reviews the audit findings, and any other appropriate information obtained during the audit, against the audit objectives and audit criteria and classify the nonconformities;

b) agrees upon the audit conclusions, taking into account the uncertainty inherent in the audit process;

c) agrees any necessary follow-up actions;

d) confirms the appropriateness of the audit programme or identify any modification required for future audits (e.g. scope of certification, audit time or dates, surveillance frequency, audit team competence).

3.5.7. Conducting the closing meeting

A formal closing meeting, where attendance is recorded, is held with the client's management and, where appropriate, those responsible for the functions or processes audited. The purpose of the closing meeting, usually conducted by the **Lead Auditor**, is to present the audit conclusions, including the recommendation regarding certification. Any nonconformities are presented in such a manner that they are understood, and the timeframe for responding is agreed.

"Understood" does not necessarily mean that the nonconformities have been accepted by the client.

The closing meeting also includes the following elements where the degree of detail is consistent with the familiarity of the client with the audit process:

a) advising the client that the audit evidence obtained was based on a sample of the information; thereby introducing an element of uncertainty;

b) the method and timeframe of reporting, including any grading of audit findings;

c) **INTERCERT**'s process for handling nonconformities including any consequences relating to the status of the client's certification;

d) the timeframe for the client to present a plan for correction and corrective action for any nonconformities identified during the audit;

e) **INTERCERT**'s post audit activities;

f) information about the complaint and appeal handling processes.

The client is given opportunity for questions. Any diverging opinions regarding the audit findings or conclusions between the audit team and the client are discussed and resolved where possible.

Any diverging opinions that are not resolved are recorded and referred to **INTERCERT**.

3.5.8. Audit report

INTERCERT provides a written report for each audit to the client. The audit team may identify opportunities for improvement but doesn´t recommend specific solutions. Ownership of the audit report is maintained by **INTERCERT**.

3.5.9. Cause analysis of nonconformities

INTERCERT requires the client to analyse the cause and describe the specific correction and corrective actions taken, or planned to be taken, to eliminate detected nonconformities, within a defined time (15 working days).

3.5.10. Effectiveness of corrections and corrective actions

A member of the audit team, reviews the corrections, identified causes and corrective actions submitted by the client to determine if these are acceptable. A member of the audit team verifies the effectiveness of any correction and corrective actions taken; this can be carried out based on a review of documented information provided by the client, or where necessary, through verification on-site. The evidence obtained to support the resolution of nonconformities are recorded on nonconformity report. The client is informed of the result of the review and verification through audit report. The client is informed if an additional full audit, an additional limited audit, or documented evidence (to be confirmed during future audits) will be needed to verify effective correction and corrective actions.

3.6. Certification decision

3.6.1. General

The issue date on a new certificate is on or after the certification decision. The expiry date is three years after the certification decision. Specific certification schemes may require a certificate validity period different from three years. See below requirements for recertification validity.

Certificate released after positive certification decision are available in www.mtic-group.org website.

3.6.2. Actions prior to making a decision

INTERCERT conducts an effective review prior to making a decision for granting certification, expanding or reducing the scope of certification, renewing, suspending or restoring, or withdrawing of certification, including, that

a) the information provided by the audit team is sufficient with respect to the certification requirements and the scope for certification;

b) for any major nonconformities, it has reviewed, accepted and verified the correction and corrective actions;

c) for any minor nonconformities it has reviewed and accepted the client’s plan for correction and corrective action.

3.6.3. Information for granting initial certification

The information provided by the audit team to **INTERCERT** for the certification decision includes, as a minimum:

a) the audit report;

b) comments on the nonconformities and, where applicable, the correction and corrective actions taken by the client;

c) confirmation of the information provided to **INTERCERT** used in the application review;

d) confirmation that the audit objectives have been achieved;

e) a recommendation whether or not to grant certification, together with any conditions or observations.

For all nonconformities, client’s plan for correction and corrective action has to be sent to **INTERCERT** within 15 working days.

If **INTERCERT** is not able to verify the implementation of corrections and corrective actions of any major nonconformity within 6 months after the last day of stage 2, **INTERCERT** conducts another stage 2 prior to recommending certification.

3.6.4. Information for granting recertification

Steering Committee makes decisions on renewing certification based on the results of the recertification audit, as well as the results of the review of the system over the period of certification and complaints received from users of certification.

3.7. Maintaining certification

3.7.1. General

INTERCERT maintains certification based on demonstration that the client continues to satisfy the requirements of the management system standard. It may maintain a client's certification based on a positive conclusion by the **Lead Auditor** without further independent review and decision, provided that:

a) for any major nonconformity or other situation that may lead to suspension or withdrawal of certification, **INTERCERT** requires the **Lead Auditor** to report to **INTERCERT** the need to initiate a review by competent personnel, different from those who carried out the audit, to determine whether certification can be maintained;

b) competent personnel of **INTERCERT** monitor its surveillance activities, including monitoring the reporting by its auditors, to confirm that the certification activity is operating effectively.

3.7.2. Surveillance activities

3.7.2.1. General

INTERCERT develops its surveillance activities so that representative areas and functions covered by the scope of the management system are monitored on a regular basis, and take into account changes to its certified client and its management system.

Surveillance activities include on-site auditing of the certified client's management system's fulfilment of specified requirements with respect to the standard to which the certification is granted. Other surveillance activities may include:

a) enquiries from **INTERCERT** to the certified client on aspects of certification;

b) reviewing any certified client's statements with respect to its operations (e.g. promotional material, website);

c) requests to the certified client to provide documented information (on paper or electronic media);

d) other means of monitoring the certified client's performance.

3.7.2.2. Surveillance audit

Surveillance audits are on-site audits, but are not necessarily full system audits, and are planned together with the other surveillance activities so that **INTERCERT** can maintain confidence that the client's certified management system continues to fulfil requirements between recertification audits. Each surveillance for the relevant management system standard includes:

a) internal audits and management review;

b) a review of actions taken on nonconformities identified during the previous audit;

c) complaints handling;

d) effectiveness of the management system with regard to achieving the certified client's objectives and the intended results of the respective management system (s);

e) progress of planned activities aimed at continual improvement;

f) continuing operational control;

g) review of any changes;

h) use of marks and/or any other reference to certification.

For all nonconformities, client's plan for correction and corrective action has to be sent to **INTERCERT** within 15 working days.

For any major nonconformity, **INTERCERT** defines time limits for correction and corrective actions. This limit doesn´t exceed 6 month; during this period the certificate validity is suspended, after this period the certificate is withdrawn.

Information on incidents such as a serious accident, or a serious breach of regulation necessitating the involvement of the competent regulatory authority, provided by the certified client or directly gathered by the audit team during the special audit provides grounds for **INTERCERT** 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.

3.7.3. Recertification

3.7.3.1. Recertification audit planning

The purpose of the recertification audit is to confirm the continued conformity and effectiveness of the management system as a whole, and its continued relevance and applicability for the scope of certification. A recertification audit is planned and conducted to evaluate the continued fulfilment of all of the requirements of the relevant management system standard or other normative document. This are planned and conducted in due time to enable for timely renewal before the certificate expiry date.

The recertification activity includes the review of previous surveillance audit reports and considers the performance of the management system over the most recent certification cycle.

Recertification audit activities may need to have a stage 1 in situations where there have been significant changes to the management system, the organization, or the context in which the management system is operating (e.g. changes to legislation).

Such changes can occur at any time during the certification cycle and **INTERCERT** might need to perform a special audit, which might or might not be a two-stage audit.

3.7.3.2. Recertification audit

The recertification audit includes an on-site audit that addresses the following:

a) the effectiveness of the management system in its entirety in the light of internal and external changes and its continued relevance and applicability to the scope of certification;

b) demonstrated commitment to maintain the effectiveness and improvement of the management system in order to enhance overall performance;

c) the effectiveness of the management system with regard to achieving the certified client's objectives and the intended results of the respective management system (s).

For all nonconformities, client's plan for correction and corrective action has to be sent to **INTERCERT** within 15 working days.

For any major nonconformity, **INTERCERT** defines time limits for correction and corrective actions. This limit doesn´t exceed 6 month. Correction and corrective actions are implemented and verified prior to the expiration of certification.

When recertification activities are successfully completed prior to the expiry date of the existing certification, the expiry date of the new certification can be based on the expiry date of the existing certification. The issue date on a new certificate is on or after the recertification decision.

If **INTERCERT** has not completed the recertification audit or **INTERCERT** is unable to verify the implementation of corrections and corrective actions for any major nonconformity prior to the expiry date of the certification, then recertification isn´t recommended and the validity of the certification isn´t extended. The client is informed and the consequences are explained.

Following expiration of certification, **INTERCERT** can restore certification within 6 months provided that the outstanding recertification activities are completed, otherwise at least a stage 2 is conducted. The effective date on the certificate is on or after the recertification decision and the expiry date is based on prior certification cycle.

3.7.4. Special audits

3.7.4.1. Expanding scope

INTERCERT, in response to an application for expanding the scope of a certification already granted, undertakes a review of the application and determines any audit activities necessary to decide whether or not the extension may be granted. This may be conducted in conjunction with a surveillance audit.

3.7.4.2. Short-notice audits

It may be necessary for INTERCERT to conduct audits of certified clients at short notice or unannounced to investigate complaints, or in response to changes, or as follow up on suspended clients.

For OH&SMS, independently from the involvement of the competent regulatory authority, a special audit may be necessary in the event that INTERCERT 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, in order to investigate if the management system has not been compromised and did function effectively. INTERCERT documents the outcome of its investigation.

In such cases:

a) INTERCERT describes and make known in advance to the certified clients the conditions under which such audits will be conducted;

b) INTERCERT exercises additional care in the assignment of the audit team because of the lack of opportunity for the client to object to audit team members.

3.7.4.3. Transfer audits

Only certification which is covered by an accreditation of an IAF or Regional MLA signatory at level 3 and where applicable level 4 and 5 shall be eligible for transfer. Organizations holding certification that is not covered by such accreditations are treated as new clients.

Only valid accredited certification are transferred. Certification which is known to be suspended are not accepted for transfer.

In cases where certification has been granted by a certification body which has ceased trading or whose accreditation has expired, been suspended or withdrawn, the transfer shall be completed within 6 months or on expiration of the certification whichever is sooner.

INTERCERT carries out a review of the certification of the transferring client. This review is conducted by means of a documentation review and where identified as needed by this review, for example there are outstanding major nonconformities, includes a pre-transfer visit to the transferring client to confirm the validity of the certification.

The review covers the following aspects as a minimum:

(i) confirmation that the client's certification falls within the accredited scope of the issuing and accepting certification body;

(ii) confirmation that the issuing certification body's accredited scope falls within its accreditation body's MLA scope;

(iii) the reasons for seeking a transfer;

(iv) that the site or sites wishing to transfer certification hold a valid accredited certification;

(v) the initial certification or most recent recertification audit reports, and the latest surveillance report; the status of all outstanding nonconformities that may arise from them and any other available, relevant documentation regarding the certification process. If these audit reports are not made available or if the surveillance audit or recertification audit has not been completed as required by the issuing certification body's audit programme, then the organization is treated as a new client;

(vi) complaints received and action taken;

(vii) considerations relevant to establishing an audit plan and an audit programme. The audit programme established by the issuing certification body is reviewed if available;

(viii) any current engagement by the transferring client with regulatory bodies relevant to the scope of the certification in respect of legal compliance.

INTERCERT doesn't issue certification to the transferring client until:

(i) it has verified the implementation of corrections and corrective actions in respect of all outstanding major nonconformities; and

(ii) it has accepted the transferring client's plans for correction and corrective action for all outstanding minor nonconformities.

Where the pre-transfer review (document review and/or pre-transfer visit) identifies issues that prevent the completion of transfer, **INTERCERT** treats the transferring client as a new client.

The justification for this action is explained to the transferring client.

If no problems are identified by the pre-transfer review, the certification cycle is based on the previous certification cycle and **INTERCERT** establishes the audit programme for the remainder of the certification cycle.

3.7.4.4. Conversion of not accredited certifications to accredited certifications

In case of extension of **INTERCERT** scope of accreditation to new technical area or to new kind of management systems certification, it will be possible covert the already granted non accredited certification to accredited certification under the conditions that **INTERCERT** procedure, Accreditation body regulation, IAF and EA regulation, other normative regulation was respected throughout the audit cycle.

This is automatically recognized for witness audit with Accreditation Body; in all other case the regular surveillance audit or an extension/upgrade audit shall be executed and the full certification cycle shall be evaluated by Steering Committee.

In case of positive results of the above evaluation the certificate is re-issued as accredited certificate, maintaining the original first issue date and expiring date; the current issue date will be equal or greater than the date on the new/extended Accreditation Certificate.

In case of negative evaluation an accredited certificate can be issue only after a full certification audit under accredited procedure; otherwise, the client can choose to continue with the non-accredited certificate until it´s expiration date.

3.7.5. Suspending, withdrawing or reducing the scope of certification

INTERCERT has a policy and documented procedure for suspension, withdrawal or reduction of the scope of certification, and specifies the subsequent actions by **INTERCERT** (See ***TIC-PR-MS-01 Annex 1*** – *General Terms and Conditions*).

INTERCERT suspend certification in cases when, for example:

- The organization voluntarily requests the suspension of the certificate;

- The organization does not use the certificate and the mark correctly;

- The organization refers to the certification incorrectly;

- The organization is not in compliance with the payment of the activities already carried out;

- The organization does not promptly communicate any substantial changes to the management system including company changes;

- The organization is the subject of complaints, legal action or other procedures and facts that could compromise or invalidate the effectiveness of the management system or its components;

- serious and motivated cases;

- The organization shall not carry out the re-audit necessary to verify the correct and effective closure of the non-conformities identified during the certification, surveillance or renewal audit;

- The organization shall not carry out the surveillance audit on time;

- Complaints are not handled properly;

- The organization does not promptly inform **INTERCERT** of actions, for whatever reason, by public authorities and/or legal proceedings in progress, accidents or serious accidents. In the event that legal proceedings are in progress or the process of prior notification of the initiation of legal proceedings against the organization has been activated, **INTERCERT** reserves the right to proceed with a precautionary suspension of the certificate until the basic elements of the proceedings initiated have been clarified and there is no objective evidence of the non-involvement of the certified management system or its elements or responsibilities in the aforementioned legal proceedings;

- The organization shall make substantial changes to its management system without informing **INTERCERT**;

- The organization is placed in liquidation or transferred/sold to third parties and/or acquired by third parties or ceases its activities or is admitted to composition, both judicial and extra-judicial, or is declared bankrupt.

Under suspension, the client's management system certification is temporarily invalid. The state of suspension is notified on www.mtic-group.org website.

INTERCERT restores the suspended certification if the issue that has resulted in the suspension has been resolved. Failure to resolve the issues that have resulted in the suspension in a time established by **INTERCERT** results in withdrawal or reduction of the scope of certification.

The suspension doesn´t exceed six months.

INTERCERT reduces the scope of certification to exclude the parts not meeting the requirements, when the certified client has persistently or seriously failed to meet the certification requirements for those parts of the scope of certification. Any such reduction is in line with the requirements of the standard used for certification.

The certificate may be withdrawn in the following cases

- Expiry of the suspension period;

- The organization voluntarily requests the withdrawal of the certificate;

- The organization shall not eliminate the causes of the suspension of certification within the specified time limits;

- The organization does not resolve the non-conformities found within the established timescale;

- The organization refuses the planned surveillance audits and/or additional audits;

- The organization ceases to exist as a legal entity in relation to the activities covered by the scope of the certificate;

- The organization informs that it does not want or can adapt to any changes in the certification rules;

- The organization shall interrupt for more than one year the activities for which the organization has obtained management system certification;

- Serious and motivated cases.

The decision to suspend or withdraw certification is taken by the Steering Committee.

INTERCERT informs the organization by registered letter with return receipt or by fax or by ~~PEC~~ certified E-mail with acknowledgement of receipt. Forms **TIC-F-MS-104** and **TIC-F-MS-105** apply. Head office is put in cc of this communication, and the communication is stored in the folder of the client.

Withdrawal of the certificate entails:

The organization ~~must~~ is asked to return the issued hard copies of certificates to the following address within 10 days of receipt of the withdrawal order: INTERCERT GmbH - Group of MTIC - Am Bonner Bogen 2 - 53227 Bonn - GERMANY; In the event, that the customer is related to a branch office, he can choose to return the certificate copies to the respective office. The branch office is obliged to inform head office about reception of the certificates. Anyway, the physical sending back of certificates might be not feasible or appropriate in each case. The following actions will be valid, whether the certificates are sent back or not:

- The use in any form and manner of the certificate, the mark and any reference or symbol related to **INTERCERT** certification is prohibited;

- The state of suspension is notified on www.mtic-group.org website.

3.8. Audit interruption

In case of several major nonconformities, the **Lead Auditor** may request to **INTERCERT** to interrupt the audit. The client is informed immediately of the decision **INTERCERT** and its justification in written form. The certificate is suspended until the full repetition of the audit with positive opinion from the **Lead Auditor**.

In case of evident risk for the audit team safety the **Lead Auditor** have to inform **INTERCERT** decides upon the interruption or not of the audit. The client is informed immediately of the decision of **INTERCERT** and its justification in written form. Depending form the certification scheme, the certificate may be suspended. **INTERCERT** may be obliged from local legislation to inform the competent authorities. Until the safety risk is not corrected the audit cannot be completed, this may lead to suspension or withdrawal in case of already granted certificates.

3.9. Certification documents and client records

INTERCERT provides PDF version of certificate(s) and report(s) to the certified client. Certificates are also provided in paper version.

3.10. Appeals and Complaints

See ***TIC-PR-MS-01 Annex 1*** *– General Terms and Conditions.*