



Policy on Identification and Management of Conflicts of Interests

A Preamble

A.1 Introduction and purpose of the policy

This policy describes the way in which IOAS identifies and manages actual and potential conflicts of interest that any individual may have when they are involved in any way with IOAS accreditation activities.

A.2 Scope

This policy relates to all individuals involved in any way with IOAS, which includes but may not be limited to BoD, IC or AC members, staff, external assessors and other contracted personnel. Related documents: “Policy on Minutes” [PL0207](#), “Meetings Policy” [PL0201](#), “Declaration of Interest” [FR0205](#).

A.3 Definitions

Reference is made to IOAS General Operating Manual for definitions.

A.4 Access and Distribution

This document is distributed to IOAS Board, Impartiality Committee and Accreditation Committee members, staff, external assessors and other contracted personnel after any update has been finalised. It is available at IOAS web site.

A.5 Authority and revision

This policy is approved by the IOAS Executive Director. It is the responsibility of the IOAS Executive Director to review the appropriateness of the policy from time to time. It may be revised when the need arises. Revisions must be approved by the IOAS Executive Director. Its effectiveness in meeting the quality policy of the IOAS and ISO/IEC 17011 will be assessed during internal audit and management review, with amendments made as necessary

B Policy

B.1 Declaration of Interests

B.1.1 All individuals involved in any way with IOAS accreditation activities must declare any and all relationships with current IOAS clients and the wider organic community as laid out in the declaration of interest form FR0205. Any conflicts arising from their own relationships and/or their family members’ relationships with identified parties must also be considered.

B.1.2 These declarations must be updated and reviewed by IOAS management annually by the 30th March. However, IOAS requires that all individuals disclose any potential conflict of interest whenever it may arise including when, despite all due diligence being taken according to this policy, an individual may come across a conflict during the course of an assessment or file review for a CB with which no conflict had been previously determined e.g., the individual recognises a CB client for which they performed inspection or consultancy. Failure to comply with this requirement is considered a breach of contract and will lead to disciplinary actions up to and including:

B.1.2.1 Termination of employment.

B.1.2.2 In the case of external assessors, revocation of assignments, termination of contracts, and/or removal from the approved list of assessors. External assessors may also be subject to financial penalties.

B.1.2.3 In the case of Board or Committee members, removal from their elected or appointed position.

B.1.3 IOAS management shall review the information provided on the declaration of interest form (FR0205), taking into account the role that the individual will play within the IOAS. For example, a definite conflict for someone serving only as an IOAS assessor may not necessarily be a definite conflict for someone only serving on an IOAS Committee.

B.1.4 To complete this review, reference is made to the Annex of this policy which indicates the types of conflicts to consider.

B.1.5 IOAS may choose to extend the period of exclusion if the individual's involvement with an organisation was in a key position (such as upper management) in which they are likely to have been the main architect of key structures and policies. Similarly, IOAS may choose to reduce the conflict rating or period if it is determined that the conflict will not affect the accreditation process. Any deviation from the guidance in the Annex must be justified and this justification shall be clearly documented on [FR0205](#) for that individual.

B.1.6 A record of decided conflicts will be maintained and made available in the IOAS IT system. In addition, IOAS will post a summary of the conflicts in the Client area of our website, indicating the final Conflict Category as assigned by IOAS.

B.1.7 All committee members, staff and external assessors are obligated to check the IOAS website frequently for updates on any new applications and/or schemes and to notify IOAS management of any possible conflicts with them.

B.2 Avoidance of Conflict

B.2.1 Members of the BoD, the IC and the AC, as well as staff and external assessors may not take part in any work, decisions, or assessments concerning CBs or scheme owners for which they are determined to have a Category A or B conflict (see Annex). IOAS considers individuals classified as Category C to have "no conflict", but a CB may still object to an individual's participation in work, decisions or assessments. IOAS will consider these objections on a case-by-case basis.

B.2.2 Members of the BoD, AC and the IC shall not have Category A and/or B conflicts determined for more than 25% of IOAS client CBs. In such event the member shall be required to resign.

B.2.3 Staff persons (i.e., persons employed on a full-time or part-time basis, permanently or temporarily, or from whom services are contracted in a continuous manner by IOAS) may not have on-going involvement in CBs in any capacity, including management, consultancy, or ownership. Any other activity within the organic sector should be sanctioned by IOAS through its ED. In the case of persons employed on a freelance basis or external assessors, the conflicts will be assessed in relation to the assignments.

B.2.4 Prior to sending out any confidential material, the list of member conflicts will be consulted by IOAS, and material withheld as appropriate.

B.2.5 Before any BoD, AC or IC meeting or discussion on any other sensitive issue regarding a CB, the chairperson will refer to the conflicts records and also ask members to declare whether there exists any potential conflict of interest regarding the CB in question, as well as make such a declaration him/herself.

B.2.5.1 Members who have been involved in the assessment of a certification body on behalf of IOAS shall not be involved in the respective accreditation decision.

B.2.5.2 Members with conflicts may not take part in any decision and will be asked to leave the meeting before any decision is made.

B.2.5.3 In some circumstances, a member with conflict may be invited to remain in the meeting in order to provide relevant information or background. However, discussion and decision-making shall occur only after the member with conflict has left the meeting.

B.2.5.4 In the minutes of its meetings, this procedure and the measures taken to handle potential conflicts shall be reflected.

B.3 Additional Precautionary Measures

B.3.1 Members of the BoD and all IOAS committees are appointed as individuals and do not serve as representatives of any certification bodies or other organisations.

B.3.2 Applicant and accredited CBs are able to check the composition of the Board, the IC, and the AC by referring to the IOAS web site. CBs may object to specific individuals taking part in the discussion or decision-making regarding their file (see application information [FR0503](#)). The ED (or in his/her absence) the Business Director shall consider any such objections and either accept or reject the petition.

B.3.3 The certification body will be informed of the identity of the assessor prior to the visit. If serious grounds for challenging the appropriateness of the assessor are submitted in writing, the Operations Manager may, at his/her discretion, reassign the assessment.

B.3.4 IOAS AC members do not normally receive the original CB documentation, such as policies, procedures and financial data. Unless there is good reason for providing additional documentation, they receive only the combined screening and assessment report, findings, and the Client Manager's summary of compliance.

B.3.5 Individuals shall not accept any payments, gifts, or favours of any kind from applicant or accredited certification bodies, scheme owners, or certified operators.

B.3.6 The conflict of interest review process of every individual and the results thereof may be reviewed by the Impartiality Committee.

B.4 COI Discovery After the Fact

B.4.1 In the event that a conflict of interest is discovered on the part of an individual that has already participated in an assessment, discussion, decision, or any other activity associated with the subject of the conflict, the following measures are taken:

B.4.1.1 IOAS management will immediately meet with the individual involved, the level of conflict is assessed, and a determination is made whether the individual was unduly influenced and whether the individual's professional conduct and decision-making were compromised.

B.4.1.2 Disciplinary actions outlined in B.1.2 may be taken if it is determined that the lack of disclosure of the conflict was intentional. In addition, the mitigation steps outlined in B.4.1.3 below are taken, as appropriate.

B.4.1.3 If it is determined that the lack of disclosure was not intentional, the outcome of B.4.1.1 is taken into consideration in mitigating the situation and determining appropriate corrective actions. Corrective actions taken may include (but are not limited to) the following:

- (a) Immediately removing the individual from any further dealings with and decisions or discussions regarding the subject of the conflict.
- (b) Thoroughly reviewing all past interactions between the individual and the subject of the conflict to determine if any inappropriate actions were taken or decisions were made.
- (c) Revisiting any questionable decisions or recommendations made by the individual and modifying them as appropriate.
- (d) Immediately updating the individual's COI Declaration form and counselling the individual on what steps must be taken to ensure that the declaration form is always up to date.
- (e) Informing the subject of the conflict of the situation and the measures taken by IOAS to address it.

Annex

Category	Relationships
<i>Category A = Direct, ongoing relationships; definite conflict.</i>	
A1	Person is a current permanent employee, Board or Committee member of an IOAS client CB, AOI and/or scheme owner (collectively referred to herein as an “identified organization”).
A2	Person has current financial interest in an identified organization.
A3	Person is currently exclusively ¹ and individually contracted by an identified organization for inspection and/or provides direct consultancy or other work to an identified organisation.
A4	Person is a current permanent employee, Board or Committee member of a CB that is in direct competition with an IOAS client CB (i.e., same country, scheme and scope).
<i>Category B = Indirect or past relationships; probable conflict.</i>	
B1	Person has had previous status under categories A1-A3, but the relationship ended within the past 3 years. (After 3 years, the prior relationship is no longer considered a conflict.)
B2	Person is currently involved (i.e., ownership or financial interest) in an operation certified by an IOAS client CB.
B3	Person has close relationship with current personnel of, or individuals with financial interest in, an identified organization.
B4	Person is a current permanent employee, Board or Committee member of a CB which has a certification-related contract with an IOAS client CB (e.g., for inspection).
<i>Category C = Distant, infrequent or non-exclusive relationships; no apparent conflict but CB may raise an objection.</i>	
C1	Person has had previous status under categories B2-B4, but the relationship ended within the past 3 years. (After 3 years, the prior relationship need no longer be declared.)
C2	Person, or company (non-CB) for which they work, provides non-exclusive, contractual services (e.g., training) to an IOAS client CB or its clients.
C3	Person, through projects or links other than those listed above, has had contact with an IOAS client CB (in a non-contractual manner), thereby gaining privileged knowledge of their operations, etc.

IOAS personnel may raise a conflict or choose to maintain a conflict in addition to the above criteria. Conflicts may also be “set” by IOAS management such that they do not expire.

¹ The word ‘exclusively’ refers here to the individual working only with the identified organisation as opposed to working in a ‘non-exclusive’ way with a number of organisations. The rationale is that the individual is more strongly attached and involved in an organisation in the former case (and therefore the potential for conflict of interest more likely) than in the latter.