

Joint Accreditation System of Australia and New Zealand

PROCEDURE NUMBER 7

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CONFIDENTIALITY AND CONFLICT OF INTEREST

Authority To Issue

A handwritten signature in black ink that reads "James Galloway". The signature is written in a cursive style and is positioned above a solid blue horizontal line.

Dr James Galloway

Chief Executive Officer

With Authority Of The Governing Board

Procedure No. 7	<i>Joint Accreditation System of Australia and New Zealand</i>	Copy no.
	CONFIDENTIALITY AND CONFLICT OF INTEREST	

INDEX

	TOPIC	PAGE
PART A - GENERAL		
1.	Object and field of application	3
2.	References	3
3.	Definitions	3
PART B - CONFIDENTIALITY		
4.	Disclosure of information	4
5.	Application	4
6.	Forms	5
PART C - CONFLICT OF INTEREST		
7.	Application	5
8.	Forms	6

PART A - GENERAL

1. OBJECT AND FIELD OF APPLICATION

- 1.1 This Procedure tells how information supplied to the Joint Accreditation System of Australia and New Zealand (JAS-ANZ) is kept confidential. It applies to any person, including Secretariat staff, members of the Governing Board, TAC, ARB and Committees, contracted personnel and their employer or sub-contracted body or organisation employed by the Governing Board, who may have access to information that is not freely available to the public.
- 1.2 This Procedure also describes arrangements to ensure that any person involved in accreditation processes avoids situations where a potential conflict of interest could exist, or be seen to exist.

2. REFERENCES

- 2.1 ISO/IEC 17011 – Conformity Assessment – General requirements for [accreditation](#) bodies [accrediting conformity](#) assessment bodies. Clauses 4.4 & 6.1.4
- 2.2 ISO/IEC 17000 - Conformity assessment – Vocabulary and general principles.
- 2.3 AS/NZS ISO 9000 - Quality management systems – Fundamentals and vocabulary

3. DEFINITIONS

- 3.1 As a general rule, the definitions in ISO/IEC 17000 and ISO [9000](#) apply.
- 3.2 **Technical Advisory Council:** A group of less than 25 individuals appointed by the Governing Board to ensure impartiality and independence at the strategic level. The structure enables the participation of all parties significantly concerned in the development of policies and principles regarding the content and functioning of the accreditation system without any single interest predominating
- 3.3 **Accreditation Review Board:** The Accreditation Review Board (ARB) is responsible for considering and making decisions in relation to applications for accreditation and also decisions relating to the granting, maintaining, extending, reducing, suspending and withdrawing of accreditation. The ARB is a group of technical experts and includes expertise that covers the full range of accreditation programmes that [is](#) operated by JAS-ANZ.

PART B - CONFIDENTIALITY

4. DISCLOSURE OF INFORMATION

- 4.1 All information and documentation obtained or provided during the accreditation process will be treated as commercial-in-confidence. The Chief Executive Officer (CEO) may approve an exception to this rule following written approval from the conformity assessment body (CAB) or organisation concerned. When this approval is given, the CEO shall stipulate where and to whom the information may be passed.
- 4.2 Information which is already known to be available in the public arena ([e.g.](#) available in JAS-ANZ Register) may be disclosed without reference to the CEO.
- 4.3 Unless authorised by the applicant ([Form 45](#)), details of applicants for accreditation are treated as confidential until the conclusion of the accreditation process. Where a CAB or organisation is unsuccessful in its application for accreditation, the fact can only be disclosed upon request and clearance by the CEO
- 4.4 In case of doubt, clearance for the disclosure of information shall be obtained from the CEO.
- 4.5 Where the law requires information about an applicant or accredited CAB to be disclosed to a third party, JAS-ANZ shall inform the client of the information provided, as permitted by the law or where the law requires such information without such consent (ISO17011 Clause 4.4) .

5. APPLICATION

- 5.1 Statement of Confidentiality (Form 7) shall be obtained from all of the following, prior to allowing access to confidential information by the identified responsible member of the Secretariat:
- Governing Board members – [Office Manager](#);
 - TAC Members – [Director Technical Services \(DTS\)](#);
 - Secretariat staff – Quality Manager;
 - JAS-ANZ contracted assessors and experts – Accreditation Services Administrator;
 - ARB members - Accreditation Services Administrator
 - members of any other committee or panel - Chairperson;
 - members of other accreditation bodies, including assessors – [Accreditation Services Administrator](#);
 - any person who may have access to confidential information through their association with JAS-ANZ – Quality Manager
- 5.2 The New Zealand Manager shall obtain [Statement of Confidentiality](#) from persons with access to the New Zealand office or who are involved in handling confidential documents/correspondence for the New Zealand office.

- 5.3 Statements of Confidentiality [shall be](#) filed [in accordance with OP 04](#).
- 5.4 Where possible, confidential information is passed by hand. However, when this is not practical other forms of despatch, [i.e.](#) mail, facsimile or E-mail may be used. All JAS-ANZ personnel (staff, contract or voluntary) [shall](#) ensure that all appropriate means are taken to protect the confidentiality of information.
- 5.5 For Secretariat staff all mail containing confidential information shall have the envelopes marked "Personal - to be opened by addressee only". Where facsimiles are used and are being sent to locations where they may be read by individuals other than the addressees, the facsimile cover sheet shall make it obvious that it should be passed directly to the addressee.
- 5.6 Staff shall ensure that no confidential material can be seen by persons who have not signed a Statement of Confidentiality.
- 5.7 Visitors other than assessors, ARB, TAC or Governing Board members are only allowed in the reception area, conference room or CEO's office whilst visiting the Secretariat.

6. FORMS

- 6.1. [Statement of Confidentiality \(Form 7\)](#).
6.2. [Information Disclosure \(Form 45\)](#)

PART C - CONFLICT OF INTEREST

7. APPLICATION

- 7.1 Any of the following persons may be placed in situations where a potential conflict of interest could arise, or be seen to arise:
- Governing Board members;
 - Secretariat staff;
 - JAS-ANZ contracted assessors and experts;
 - TAC and ARB members, or members of any other committee appointed in accordance with the Quality Manual; and
 - members of other accreditation bodies, including assessors.
- 7.2 All such persons must declare any interest in or connection with an applicant or accredited CAB or other organisation involved in or subject to the accreditation process, before taking on the work, or before the situation arises. Such interests or connections apply to past, present and future involvement and may include (but are not limited to):

- being employed by an organisation or individual that satisfies any of the following examples;
- having worked with, or consulted to the organisation in the past two years; or [having](#) reasonable future prospect of such work;
- any immediate family member working with or consulting to the organisation in the past two years; or [having](#) reasonable future prospect of such work;
- owning shares or any immediate family member owning shares in the organisation or parent organisation;
- having, or immediate family member having any other commercial or voluntary arrangement or directorship with the organisation;
- having a relationship with either an applicant or an accredited CAB; or
- is in direct competition with an applicant or accredited CAB.

7.3 Declarations would normally be in writing, but the situation may arise ([e.g.](#) at Governing Board or other meetings) where a verbal declaration is necessary. Such declarations and the outcomes are recorded in the minutes of the relevant meeting.

7.4 Any person in doubt about whether a potential conflict of interest exists shall immediately place the facts before the CEO for his/her determination.

7.5 In addition to the above provisions, contract assessors and experts, and ARP members shall be formally asked whether they consider a conflict of interest may arise, or be seen to arise, before becoming involved in the accreditation process [by](#) using a Purchase Order for assessors/experts and a letter template for ARP members.

8. Forms

8.1 [Nil](#)