



KENYA BUREAU OF STANDARDS PRODUCT CERTIFICATION BODY

POLICY ON IMPARTIALITY

1. INTRODUCTION

The KEBS PCB shall be responsible for managing the impartiality of its certification activities and to ensure no commercial, financial, or other pressures compromise objectivity.

A relationship presenting a risk to impartiality of the certification body can be based on ownership, governance, management, personnel, shared resources, finances, contracts, marketing and payment of a sales commission or other inducement for the referral of new clients.

This policy will provide the mechanisms for the management of impartiality in the PCB activities. It covers all product certification schemes implemented by the PCB.

2. PARTIES INVOLVED

2.1 Impartiality is presence of objectivity. Objectivity means that conflicts of interest do not exist or are resolved so as not to adversely influence the activities of the product certification body.

2.2 Risks to impartiality include bias that may arise from the following:

- a. Self-interest - overdependence on a contract for service or the fees, or fear of losing the customer or fear of becoming unemployed, to an extent that adversely affects objectivity in carrying out conformity assessment activities.
- b. Self-review - the personnel review the results of an evaluation activity he has carried out.
- c. Over-familiarity – risks that arise from a certification body or its personnel being overly familiar or too trusting instead of seeking evidence.
- d. Intimidation – the certification body or its personnel can be deterred from acting objectively by threats from or fear of a client or other interested party.

3. MANAGEMENT OF IMPARTIALITY

The PCB management shall appoint impartiality committee comprising of divisional managers (DMs) and Quality Assurance Managers (QAMs).

The impartiality committee shall identify risks to impartiality on an ongoing basis through meetings, surveys etc. This shall include those risks that arise from its activities, or from its relationships, or from the relationships of its personnel. The format for recording the identified PCB risk to impartiality is found in **Annex 1. KEBS PCB Impartiality Risks**.

The impartiality committee shall conduct an annual impartiality assessment survey. The format of survey is in **Annex 2: KEBS PCB Impartiality Survey Questionnaire**.

Note: *The survey may be administered using online tools.*

The risks to impartiality and their associated controls shall be reviewed and updated on an annual basis by the impartiality committee. All Product Certification personnel shall sign the code of conduct and



ethics which includes commitment to remain impartial in all their dealings with the product certification clients and product certification process.

The PCB and its personnel shall not:

- a. be the designer, manufacturer, installer, distributor or maintainer of the certified product;
- b. offer or provide consultancy to its clients;
- c. offer or provide management system consultancy or internal auditing to its clients where the certification scheme requires the evaluation of the client's management system.

PCB Personnel shall declare/disclose any previous engagements they have had with clients in the last two years and any conflict of interest that may arise from his/her relationships with client(s). The declaration format is in **Annex 3: Declaration of Potential Conflict of Interest**.

The QAM/Supervisor shall review the declared conflict of interest and take appropriate action.

The annual impartiality assessment survey will cover all the parties that have an interest in the product certification process, and they include, but are not limited to:

- a. Personnel of KEBS-PCB
- b. The PCB clients.
- c. Governmental/Regulatory Organizations.
- d. Trade Associations.
- e. Consumer organizations.

4. Key Responsibilities

The secretary to the impartiality risk committee shall be responsible administering, analyzing, reporting on the outcome of the impartiality survey to the impartiality committee.

The Secretary to the impartiality committee shall be responsible for reviewing and updating the impartiality risk register

The chairperson of the impartiality committee will be responsible for presenting the outcome of the impartiality assessment survey to QA staff.

ANNEX 1: KEBS PCB IMPARTIALITY RISKS

S/No.	Context	Impartiality Risk	Scenario	Controls
1.	PCB personnel relationships	Self-review	Officer reviewing their own work	Procedure on review of evaluation activities
2.	PCB Activities	Financial pressure	Officers being allocated unrealistic targets thus overlooking the certification requirements	Independent review of evaluation to ensure certification requirements are met.
3.	PCB personnel relationships	Over Familiarity	On officer carrying out evaluation activities for more than 8 years.	Reallocation of firms after 8 years.
4.	PCB personnel relationships	Conflict of interest	On officer carrying out evaluation activities in a firm they have been engaged with within the last 2 years.	Policy on previous engagements. Declarations of previous engagements.
5.	PCB personnel relationships	Conflict of interest	On officer carrying out evaluation activities in a firm in which they have business relationships	Policy on previous engagements. Declarations of previous engagements.
6.	PCB personnel relationships	Conflict of interest	On officer carrying out evaluation activities in a firm they have personal relationships	Policy on previous engagements. Declarations of previous engagements.
7.	PCB personnel relationships	Conflict of interest	On officer carrying out evaluation activities in a firm they have carried out consultancy work within the last 2 years.	Policy on previous engagements. Declarations of previous engagements.
8.	PCB personnel	Intimidation	Overlooking of	Independent review of



	relationships		requirements due to pressure from interested parties.	evaluation to ensure certification requirements are met.
9.	PCB personnel relationships	Self interest	Overlooking of certification requirements due pursuit of personal gain e.g monetary, favoritism	Signed code of conduct. Disclosure and declaration of conflict of interest. Human Resource policy.

The impartiality committee shall conduct an annual impartiality assessment survey. The format of survey is in Annex 2: *KEBS PCB Impartiality Survey Questionnaire* and may be modified as need arises.



ANNEX 2: KEBS PCB IMPARTIALITY SURVEY QUESTIONNAIRE

1. Please tick appropriate category of respondent

- Personnel of KEBS-PCB
- The PCB clients.
- Governmental/Regulatory Organizations
- Trade Associations
- Consumer Organisations,

2. Do you have confidence and trust that KEBS PCB certification activities are not influenced by self/personal interest of KEBS staff?

- Yes
- No

3. Do you have confidence and trust that KEBS PCB certification activities are not influenced by monetary interest?

- Yes
- No

4. Do you have confidence and trust that KEBS PCB certification activities are not influenced by KEBS staff becoming too familiar with clients?

- Yes
- No

5. Do you have confidence and trust that KEBS PCB certification activities are not influenced by KEBS staff being intimidated by interested parties?

- Yes
- No

6. What is your perception of fairness of KEBS PCB in certification activities?
Describe

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ANNEX 3: DECLARATION OF POTENTIAL CONFLICT OF INTEREST

Section One: To be completed by an officer undertaking certification activities.

Name of officer: _____

Name of client: _____

I declare that:

- 1. I had been employed by the above-mentioned client for the last two (2) years
- 2. I have provided consultancy to the above-mentioned client for the last two (2) years
- 3. I have personal relationships with the above-mentioned client.
- 4. I have business relationships with the above-mentioned client.

Please tick (√) as appropriate against each.

Briefly describe the nature of potential conflict of interest

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Signed _____

Date _____

Section two: To be completed by Supervisor

Action taken to address the conflict of interest

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Name: _____ Sign: _____ Date: _____