安诺尔认证服务（上海）有限公司

AENOR Certification Services (Shanghai) Ltd.

公正性和保密管理程序

Management Procedure of Impartiality and Confidentiality

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1 目的 Purpose

为了保障机构认证活动在客观、独立、没有利益冲突、没有成见、没有偏见、公平的条件下进行。机构自上而下对从事认证活动时获得或产生的所有信息都应视为专有信息，除非客户已经公布或者要求公布，机构和客户达成协议公开的信息（例如，为了回应投诉）等特殊情况之外，都应对其履行保密的义务。

In order to ensure that the certification activities of AENOR China are carried out under the conditions of objectivity, independence, no conflict of interest, no prejudice, and fairness. Except for information that the client makes or is required to make publicly available, or when agreed between the certification body and the client (e.g. for the purpose of responding to complaints), should be subject to obligations of confidentiality.

本程序规定了公正性和保密性管理的原则、管理职责和管理要求。

This procedure sets out the principles of impartiality and confidentiality management, management responsibilities and management requirements.

2 适用范围 Scope of application

本程序适用于机构从事认证活动可能涉及到的公正性和保密性问题的各个环节。

This procedure applies to all aspects of the impartiality and confidentiality issues that may be involved in the certification activities of the CB.

3 公正性分析及管理原则 Impartiality analysis and management principles

公正性是开展认证评价工作的基础，任何缺乏公正、客观的评价都将被视为对机构生存与发展的威胁。

The impartiality is the basis for conducting certification evaluation work. Any evaluation that is lack of impartiality and objectivity will be seen as a threat to the survival and development of the CB.

3.1 可能造成影响公正性的因素及其影响程度

Factors that may affect the impartiality and the degree of their influence

3.1.1 来自机构上层建筑对认证活动的干预；影响程度大，若背离认证原则可造成严重后果；

Intervention from the superstructure of the CB to the certification activities; the degree of influence is large, and the deviation from the certification principle can lead to serious consequences;

3.1.2 认证活动在某一地域开展，该地域某些主管部门对认证活动干预时，可能会影响公正性；有一定影响，视干预程度，若背离认证原则属不可接受风险；

The certification activities are carried out in a certain region. When some competent authorities in this region intervene in the certification activities, they may affect the impartiality; this situation may lead to a certain influence, depending on the degree of intervention, and if exists the deviation from the certification principle, it is unacceptable risk;

3.1.3 认证活动涉及的相关人员可能与认证活动或认证对象存在经济或利益关联，因此会对公正性造成潜在威胁；有可能产生严重后果，应严格注视该类活动；

The relevant personnel involved in the certification activities may have economic or interest links with the certification activities or the certification object, and thus poses a potential threat to impartiality; there may be serious consequences, and such activities should be strictly observed;

3.1.4 当认证业务与其他业务共享同一资源，可能会对公正性带来影响；有可能产生严重后果，当冲突不可避免时，应放弃认证活动；

When the certification business shares the same resources with other business, it may have an impact on impartiality; it may have serious consequences, and when the conflict is unavoidable, the certification activity should be abandoned;

3.1.5 当财务方面受到某种内外部支持或压力，有可能影响公正性；影响程度大，应严格履行公正性承诺；

When the financial aspect is subject to some internal or external support or pressure, it may affect the impartiality; if the degree of influence is large, the impartiality commitment shall be strictly implemented;

3.1.6 当某一认证客户的合同额较高，或是非常重要的大客户，为获得该客户而采取的政策或手段；如果一味追求合同额或大客户，而放弃认证原则，就会对公正性带来较大影响；

When a certain certified client's contract amount is high, or there is a very important big client, the policy or means adopted to obtain this client; if the CB blindly pursues the contract amount or big client, and gives up the certification principle, it will bring bigger influence on impartiality;

3.1.7 营销过程的佣金或其他好处势必影响认证收入，其结果有可能以牺牲公正性为代价；有一定影响，处理得当，风险可降低到可接受程度；

The commission or other benefits of the marketing process will inevitably affect the certification income, and the result may be at the expense of impartiality; it has a certain influence and if it is handled properly, the risk can be reduced to an acceptable level;

3.1.8 审核员连续三次以上参与某组织审核活动，可能造成由于熟识，使公正性产生偏差；有一定影响，应尽量避免此现象，当无法避免应予以特别关注。

Auditors who participate in an organization's audit activities for more than three consecutive times may lead to deviations in fairness due to familiarity; there is a certain impact, this phenomenon should be avoided as much as possible, and special attention should be paid when it cannot be avoided.

3.2 机构根据所获得的客观证据作出技术评审，不受其他利益方的影响，更不会因自身利益而丧失公正。

The CB makes technical reviews based on the objective evidence obtained, and it is not affected by other stakeholders, and won’t lose impartiality because of its own interests.

3.3 当认证公正性受到不可接受的威胁时，机构将不提供认证服务。

When the impartiality of certification is unacceptably threatened, the CB will not provide certification services.

3.4 机构全体员工要自觉维护认证活动的公正性、严肃性，自觉回避与客观公正有可能产生冲突的项目或活动。

All employees of the CB should consciously maintain the impartiality and seriousness of the certification activities, and consciously evade projects or activities that may conflict with objectivity and impartiality.

3.5 机构全体员工人人都有义务提供可能影响公正性的各种利益冲突信息。在冲突或冲突的可能性变得明显的时候向公司披露所有可能的和实际的利益冲突，所有人员都应采取以下行动：

All employees of the CB are obliged to provide information on various conflicts of interest that may affect impartiality.To disclose in writing to the CB all possible and actual conflicts of interest, at the time that the conflict or possibility of conflict becomes evident;, all employees should take the following actions:

3.5.1 第一时间保留可能影响公正性的各种利益冲突信息的证据，并以口头形式汇报给部门第一负责人和总经理；

Retain evidence of any conflict of interest information that may affect impartiality in the first time and report it orally to the first department head and general manager;

3.5.2 部门迅速收集、记录相关信息，整理证据清单，以书面形式向公司会报告，视情况直至上报最高管理层；

The department shall promptly collect and record relevant information, sort out the evidence list, and report to the CB in written form until the top management according to the circumstances;

3.5.3 由维护公正性的委员会对利益冲突信息做出判断和决定，并采取特别关注、降低风险、协商、抵制干预、放弃认证等行动，准确记录每个决定的理由并保存相关证据；

The impartiality evaluation team shall make judgments and decisions on the conflict information, and take actions such as special attention, risk reduction, negotiation, resistance to intervention, and abandonment of certification, accurately record the reasons for each decision and preserve relevant evidence;

3.5.4 全体员工在利益冲突事件公布前坚持保密工作；

All staff insist on confidentiality before publishing conflicts of interest;

3.5.5 保留每个环节的所有证据，包括利益冲突证据和处理方式证据等；

Keep all evidence of each link, including evidence of conflict of interest and records of handling methods;

3.5.6 利益冲突事件档案归档后，对相关人员进行追责和处罚；完善维护公正性流程和制度；组织全体人员总结、学习，加强自觉维护认证公正性意识。

After conflicts of interest, responsible and punish relevant personnel; Improve and maintain impartiality process and system; Organize all staff summary, study, strengthen the awareness of self-maintenance certification impartiality.

4 保密性 Confidentiality

保密性是指为充分评价管理体系符合性所掌握的客户信息，属客户专有信息。未经客户书面同意，或法律因素，不得向第三方泄露或利用客户信息。

Confidentiality refers to that the client information held in order to fully evaluate the conformity of the management system is the client's proprietary information. Client information may not be disclosed or used to third parties without the written consent of the client or legal factors.

4.1 为有效保障客户的专有信息，机构所有工作人员（包括但不限于行政人员、审核员、技术专家、审核观察员、提供外包服务的咨询和人员、技术评审人员、委员会成员）就职前必须签署保密协议。承诺所有客户信息仅用于对客户进行认证活动的依据。不应以任何方式或借口在未征得客户同意，或法律法规要求的前提下，向第三方提供或利用客户专有信息。

In order to effectively protect the client's proprietary information, all staff members of the CB (include but not limit to administrative staff, auditors, technical experts, audit observers, consultants and persons providing outsourced services, technical reviewers, committee members) must sign a confidentiality agreement before taking up their duties, and promise that all client information is only used as a basis for certification activities for clients. Client’s proprietary information should not be provided or used to third parties in any way or under any pretext, without the client's consent or legal requirements.

4.2 出于认证工作需要拟将向公众公开的信息，应提前告知相关客户，未征得客户意愿的信息均视为保密信息。

Information intended to be made public for certification purposes should be communicated to the relevant client in advance, and the information that is not obtained from the client's will is considered confidential.

4.3 客户不公开的和来源于为客户以外（例如投诉）的信息应该视为机密，除非信息来源和客户给出书面同意去公开。当法律或合同签约的授权向认证机构要求时，除非是法律禁止，否则都应该通知客户或当事人提供相应的信息。

Information about the client that is not publicly available and is obtained from sources other than the client (e.g. from a complainant) shall be treated as confidential, unless the source of information and the client give written consent to disclose it. When the certification body is required by law or authorized by contractual arrangements to release confidential information, the client or person concerned shall, unless prohibited by law, be notified of the information provided.

4.4 认证活动中要确保客户信息的安全性，从事认证活动的相关人员，有义务对客户文件、档案进行妥善保管，并建立与保密措施相一致的档案管理制度，凡有疏漏视同违反保密协议。

It is necessary to ensure the security of client information in the certification activities. The relevant personnel engaged in certification activities are obliged to keep the client documents and archives properly, and an archive management system consistent with the confidentiality measures should be established, any omission is considered a breach of a confidentiality agreement.

4.5 文本文件以电子文档形式保存，通过设置权限加密等方式，防止泄密。

Text files are saved as electronic documents, prevent leaks by setting permission, encryption and other methods.

5 管理职责 Management duties

5.1 维护公正性委员会 Safeguarding Impartiality Committee

5.1.1 每年对机构制定的与认证活动公正性有关的政策进行评审；

Annual review of the CB's policies relating to the impartiality of certification activities;

5.1.2 负责监督机构的法人治理结构、所有权、管理层和财务的状况及其变化与相关准则要求的一致性；

Responsible for overseeing the corporate governance structure, ownership, management and financial status of the CB and their changes in conformity with relevant guidelines;

5.1.3 对影响认证可信度的事宜提出建议；

Make recommendations on matters affecting the credibility of certification;

5.1.4 阻止机构有任何倾向、商业因素或其他因素妨碍一致地提供客观的认证活动；

Prevent any tendency, commercial factor or other factor from the CB to prevent consistently providing objective certification activities;

5.1.5 负责每年对机构的审核和技术评审过程的公正性进行审查。

Responsible for reviewing the impartiality of the CB's audit and technical review process each year.

5.1.6如果最高管理层不遵循公正性委员会的决议，委员会有权采取独立的行动（例如通

知当局、AENOR西班牙、ASI、利益相关者）。在采取适当行动的过程中，公正性委员会应遵从相关客户和认证机构的保密要求。

If the top management of the certification body does not follow the recommendations of this committee, the committee should have the right to take independent action (e.g. informing authorities, AENOR Spain,ASI, stakeholders). In taking appropriate action, the confidentiality requirements of Section 1.8 relating to the client and certification body should be respected.

5.2 总经理 General Manager

5.2.1 对认证活动的公正性负责；

Responsible for the impartiality of certification activities;

5.2.2 对公正性承诺的各项条款负责；

Responsible for the provisions of the impartiality commitment;

5.2.3 负责对可能来自机构的上层的干预或影响给与解释，必要时予以抵制；

Responsible for giving explanations to interventions or influences that may come from the upper levels of the CB and, if necessary, resisting them;

5.2.4 当认证公正性受到威胁时负责做出决定；

Responsible for making decisions when the impartiality of certification is threatened;

5.2.5 负责监督本程序的有效实施。

Responsible for supervising the effective implementation of this procedure.

5.2.6 机构不应遵循与认证机构的操作程序或其他强制性要求相冲突的委员会建议。管理层应记录决定不遵循建议的理由，并保存该文件以供认可机构或其他监管部门审查。

Committee’s recommendations that are in conflict with the operating procedures of the certification body or other mandatory requirements should not be followed. Management should document the reasoning behind the decision to not follow the recommendations and maintain the document for review by Accreditation Body or other regulatory authorities.

5.3 公正性评价小组 Impartiality assessment team

5.3.1 由管理者代表和产品认证部、体系认证部的第一责任人组成；

It consists of Management representative and the first responsible person of Production certification Department, System certification Department.

5.3.2 负责对可能影响公正性的利益冲突信息，做出判断和决定；

Responsible for making judgments and decisions on conflict of interest information that may affect impartiality;

5.3.3 负责每年进行一次公正性、保密性执行情况分析，以报告形式提交维护公正性管理委员会审查。

To analyze the implementation of impartiality and confidentiality once a year, and submit it to the impartiality committee for review in the form of a report.

5.4 总经办 GM Office

5.4.1 对营销活动中可能影响公正性的因素和环节负责；

Responsible for factors and aspects that may affect impartiality in marketing activities;

5.4..1.1 因素 Factors:

(1) 咨询机构不应将认证费与咨询服务费进行捆绑；Consulting bodies should not tie certification fees to consultant services

(2) 市场业务人员可能与认证活动或认证对象存在的利益或经济关联；The interest or economic association that a marketing person may have with a certification activity or certification object

(3) 营销过程的佣金或其他好处对公正性带来的威胁；Threat to impartiality arising from commissions or other benefits in marketing process

(4) 为满足某特定大客户而采取的特殊手段或政策。Special measures or policies adopted to satisfy a certain big customer.

5.4.1.2 环节 Aspects：

各分支机构营销活动的管理。分支机构营业执照不应有可能对公正性有潜在威胁影响的内容。

Management of the marketing activities of each branch.The business license of the branch office should not contain any content that might potentially pose a threat to the integrity.

5.4.2 负责对合作组织、个人的营销手段或营销政策的符合性进行管理；

Responsible for the management of the conformity of marketing methods or policies of cooperative organizations and individuals;

5.4.3 负责对本部门人员和分支机构人员进行公正性、保密性教育与管理；

Responsible for the impartial and confidential education and management of the department and branch personnel;

5.4.4 负责以下因素的识别和控制：

Responsible for identifying and controlling the following factors:

5.4.4.1 公司同一法律实体内的任何其他部分向获证客户提供的产品认证咨询或其他咨

询不满两年的不提供认证（FSC-COC 要求为不满三年不提供认证）；

AENOR China will not provide certification to a customer with consultant service provided by any other part of AENOR China within the same legal entity, or accepted consultant service of any other part of AENOR China in 2 years.（FSC-COC requires no certification for less than three years）

5.4.4.2 当咨询机构与公司之间的关系对认证的公正性构成了不可接受的威胁，而客户的产品认证需求接受了该咨询机构咨询或内部审核时间不满两年的，不提供认证（FSC-COC 要求为不满三年不提供认证）；

Certification is not provided when the relationship between a consultant and AENOR China constitutes an unacceptable threat to the impartiality of the certification and the customer's product/service certification requirements have been consulted by the consultant or have been accepted internal audit for less than two years. （FSC-COC requires no certification for less than three years）

5.4.4.3 本程序 4.2、4.3 条款的内容。

Contents of clause 4.2 and 4.3 of this procedure.

5.4.5 负责对营销活动中组织或个人提出的有可能给公正性带来威胁的其他要求进行解释说服工作，直至抵制；

Responsible for the interpretation and persuasion of other requests made by organizations or individuals in marketing activities that may pose a threat to impartiality, until boycotting;

5.4.6 负责客户原始档案信息的保密管理工作；

Responsible for the confidentiality management of customer's original file information;

5.4.7 收集可能影响公正性评价的各种利益冲突信息，视情节上报最高管理层，并做好相应记录。

To collect all kinds of conflict of interest information that may affect the impartiality evaluation, report to the top management according to the circumstances, and record accordingly.

5.5 体系认证部/产品认证部 System Certification Department/Production Certification Department

5.5.1 对审核活动中可能影响公正性的因素和环节负责；

Responsible for factors and aspects of the audit activity that may affect impartiality;

5.5.1.1 因素 Factors：

(1) 审核员是否与审核项目存在利益关系，是否参与了直接或间接的咨询活动；Whether the auditor has interest in the audit project and is involved in consulting activities directly or indirectly;

(2) 职业健康安全领域中，为获认证或拟认证的客户提供某些特定服务被认为是OHSMS咨询。它包括但不限于：In OHSMS, the provision of certain services to certified or intended certified customers is considered OHSMS consulting. It includes but is not limited to:

① 履行职业健康与安全协调员的角色；To fulfil the role of OHSMS coordinator;

② 编写安全报告 ；To prepare safety reports;

③ 进行风险评估 ；To conduct risk assessment;

④ 执行职业健康与安全检查和内部审核 ；To conduct OHSMS inspections and internal audits;

⑤ 代表客户与监管机构的沟通 ；To communicate with regulators on behalf of customer

⑥ 协助组织的 OHSMS 建设 ；To assist the organization in OHSMS construction;

⑦ 事故调查。To conduct accident investigation.

(3) 审核活动受到当地行政管理部门对认证活动的干预；The audit activities are subject to the intervention of the local administration in the certification activity；

(4) 审核与咨询分开原则的控制；Control of the principle of separation of audit from consultation;

(5) 影响公正性的因素是否已降为可接受程度；Whether the factors affecting impartiality have been reduced to acceptable levels;

(6) 审核人员连续两次以上参与某组织审核活动。audit/testing personnel participate in organization's audit activities two or more times in a row.

5.5.1.2 环节 Aspects：

审核任务的建立过程是否满足公正性要求.

Whether the creation process of audit task meets the impartiality requirements.

5.5.2 负责对本部门人员进行公正性、保密性教育与管理；

Responsible for the impartiality and confidentiality education and management of the department personnel;

5.5.3 负责以下因素的识别和控制：

Responsible for identifying and controlling the following factors:

5.5.3.1 不得将审核工作外包产品认证咨询机构（不包括签约审核员个人）；

Do not outsource the audit to a product/service certification consulting body (excluding contract audit personnel);

5.5.3.2 参与了对客户的产品认证咨询的人员（包括管理人员），在咨询结束后两年内，不安排用于针对该客户的审核或其他认证活动（FSC-COC 要求为不满三年不提供认证）；

Personnel (including management personnel) involved in the product/service certification consultation to the customer should not be scheduled for an audit/testing or other certification activities for the customer for two years after the consultation （FSC-COC requires no certification for less than three years）；

5.5.4 当审核活动受到当地行政管理部门的干预，有可能对公正性产生威胁时,负责与当地管理部门进行协调，视情节直至上报最高管理层，并做好相应记录；

When the audit activities are interfered by the local administrative department, which may pose a threat to impartiality, auditing department is responsible for coordinating with the local administrative department, reporting to the top management according to the circumstances, and keep relevant records;

5.5.5 收集可能影响公正性评价的各种利益冲突信息，视情节直至上报最高管理层，并做好相应记录；

To collect all kinds of conflict of interest information that may affect the impartiality evaluation, report to the top management according to the circumstances, and keep relevant records;

5.5.6 负责审核员履行保密协议以及客户档案归档后的日常管理。

Responsible for the daily management of the audit performance of the personnel and the filing of customer’s files.

5.5.7 对技术评审过程可能影响公正性的因素负责；

Responsible for the factors may affect the impartiality in technical review process;

注：技术评审人员与受审核方是否存在直接或间接的利益关系或关联。

Note: whether there is direct or indirect interest relationship or connection between the certification body and the audited party.

5.5.8 对客户档案归档前的保密工作负责。

Responsible for the confidentiality of customer files before filing.

5.5.9 负责与 AENOR China 全体员工签署公正性与保密性协议；

Responsible for signing impartiality and confidentiality agreements with all employees of AENOR China;

5.7 行政部 Administration Department

5.7.1 严格遵守公司公正性承诺的各项条款；

To strictly abide by the terms of the company impartiality commitment;

5.7.2 负责对部门人员进行公正性、保密性教育与管理；

Responsible for the impartiality and confidentiality education and management of the personnel of the department;

5.7.3 负责以及客户满意度进行调查分析，发现异常及时向管理层报告，必要时报告维护公正性的委员会，并提出改善对策；负责对申诉、投诉的处理，并将处理结果报告公司管理层和维护公正性的委员会；

Responsible for the investigation and analysis of customer satisfaction, timely report to AENOR China management if any abnormality is found, report to the impartiality committee if necessary, and propose improvement measures; To handle complaints and appeals, and report the results to the management and impartiality committee;

5.7.4 收集可能影响公正性评价的各种利益冲突信息，视情况直至上报最高管理层。

To collect all kinds of conflict of interest information that may affect the impartiality evaluation and report to the top management as appropriate.

5.8 其他 Others

各部门均有义务向其它部门提供有关影响公正性的信息咨询。

Each department should be obliged to provide other departments with information and consultation affecting impartiality.

6 引用相关文件 Reference

6.1 CNAS-CC02:2013《产品、过程和服务认证机构要求》

CNAS-CC02:2013 Requirements for bodies certifying products, processes and services