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Conformity assessment — Requirements for bodies providing audit and certification of management systems —

Part 13: Competence requirements for auditing and certification of compliance management systems

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Foreword

ISO (the International Organization for Standardization) and IEC (the International Electrotechnical Commission) form the specialized system for worldwide standardization. National bodies that are members of ISO or IEC participate in the development of International Standards through technical committees established by the respective organization to deal with particular fields of technical activity. ISO and IEC technical committees collaborate in fields of mutual interest. Other international organizations, governmental and non-governmental, in liaison with ISO and IEC, also take part in the work.

The procedures used to develop this document and those intended for its further maintenance are described in the ISO/IEC Directives, Part 1. In particular, the different approval criteria needed for the different types of document should be noted. This document was drafted in accordance with the editorial rules of the ISO/IEC Directives, Part 2 (see www.iso.org/directives or www.iec.ch/members_experts/refdocs).

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Any trade name used in this document is information given for the convenience of users and does not constitute an endorsement.

For an explanation of the voluntary nature of standards, the meaning of ISO specific terms and expressions related to conformity assessment, as well as information about ISO's adherence to the World Trade Organization (WTO) principles in the Technical Barriers to Trade (TBT) see www.iso.org/iso/foreword.html. In the IEC, see www.iec.ch/understanding-standards.

This document was prepared by the ISO Committee on Conformity Assessment (CASCO), in collaboration with the ISO Technical Committee ISO/TC 309, *Governance of organizations*.

A list of all parts in the ISO/IEC 17021 series can be found on the ISO and IEC websites.

Any feedback or questions on this document should be directed to the user's national standards body. A complete listing of these bodies can be found at www.iso.org/members.html and www.iec.ch/national-committees.

Introduction

This document complements ISO/IEC 17021-1. In particular, it clarifies the requirements for the competence of personnel involved in the certification process set out in ISO/IEC 17021-1:2015, Annex A. The guiding principles in ISO/IEC 17021-1:2015, Clause 4, are the basis for the requirements in this document.

Certification bodies have a responsibility to interested parties, including their clients and the customers of the organizations whose management systems are certified, to ensure that only those auditors who demonstrate relevant competence are allowed to conduct compliance management system (CMS) audits. It is intended that all personnel involved in CMS auditing and certification possess the generic competencies described in ISO/IEC 17021-1, as well as the specific CMS competencies described in this document. Certification bodies will need to identify the specific audit team competence needed for the scope of each CMS audit.

In this document, the following verbal forms are used:

— “shall” indicates a requirement;

— “should” indicates a recommendation;

— “may” indicates a permission;

— “can” indicates a possibility or a capability.

Further details can be found in the ISO/IEC Directives, Part 2.

Conformity assessment — Requirements for bodies providing audit and certification of management systems —

Part 13: Competence requirements for auditing and certification of compliance management systems

1 Scope

This document specifies the competence requirements for personnel involved in the audit and certification process for compliance management systems (CMS). It complements the existing requirements of ISO/IEC 17021-1.

2 Normative references

The following documents are referred to in the text in such a way that some or all of their content constitutes requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

ISO/IEC 17021-1:2015, *Conformity assessment — Requirements for bodies providing audit and certification of management systems — Part 1: Requirements*

ISO 37301:2021, *Compliance management systems — Requirements with guidance for use*

3 Terms and definitions

For the purposes of this document, the terms and definitions given in ISO 37301 and ISO/IEC 17021-1 apply.

ISO and IEC maintain terminology databases for use in standardization at the following addresses:

— ISO Online browsing platform: available at https://www.iso.org/obp

— IEC Electropedia: available at https://www.electropedia.org/

4 Generic competence requirements

The certification body shall define the competence requirements for each certification function as referenced in ISO/IEC 17021-1:2015, Table A.1. When defining these competence requirements, the certification body shall take into account all the requirements specified in ISO/IEC 17021-1, as well as those specified in Clauses 5 and 6 of this document.

NOTE 1 Annex A of this document provides an overview of the competence requirements for personnel involved in specific certification functions.

NOTE 2 Information on the principles of auditing is provided in ISO 19011.

5 Competence requirements for CMS audit teams

5.1 General

5.1.1 All members of the CMS audit team shall have a level of competence that includes the generic competencies described in ISO/IEC 17021-1 and understand the requirements of ISO 37301 and the relationship between those requirements, as well as the knowledge described in 5.2 to 5.5.

5.1.2 The competence requirements specified in 5.2 to 5.5 shall apply within the scope of the CMS to be audited.

NOTE It is not necessary for each member of the audit team to have the same competence, however, the collective competence of the audit team needs to be sufficient to achieve the audit objectives.

5.2 Context of the organization

5.2.1 The audit team shall have knowledge of the context in which the organization operates. The audit team shall be able to understand the business activities and processes of the organization in so far as they relate to the compliance obligations and risks arising from the business activities of the organization.

5.2.2 The audit team shall have the knowledge and skills necessary to conduct research related to the organization to identify and understand applicable compliance obligations and risks.

5.3 Laws, regulations and other requirements

5.3.1 The audit team shall have knowledge and understanding concerning different legal systems, laws and regulations. The audit team shall have the knowledge and skills to understand different types of legal texts and to understand their relevance for the compliance obligations of the organization.

5.3.2 The audit team shall have knowledge about the legal framework in which the organization operates and shall be able to understand the applicable compliance obligations and compliance risks within the scope of the CMS to be audited.

5.3.3 The audit team shall have knowledge about other applicable requirements to be able to understand their relevance for the compliance obligations and risks which arise from these other requirements within the scope of the CMS to be audited.

NOTE Other applicable requirements can be, for example, directives, licence agreements, voluntary codes, organizational and industry standards, contractual relationships, codes of practice and agreements with community groups or non-governmental organizations.

5.4 Compliance risk assessment and controls

5.4.1 The audit team shall have knowledge about how compliance risk assessments as described in ISO 37301:2021, 4.6 are conducted.

5.4.2 The audit team shall have knowledge and understanding of methods for assessing and treating compliance risks.

5.4.3 The audit team shall have knowledge and understanding in evaluating compliance controls.

5.5 Compliance management systems (CMS)

5.5.1 The audit team shall have knowledge and understanding of how a CMS is established and implemented in accordance with ISO 37301.

5.5.2 The audit team shall have specific CMS knowledge about at least the following:

a) the drivers and indicators of compliance culture;

b) leadership that contributes to an effective CMS;

c) the role and responsibility of the compliance function;

d) compliance training;

e) processes of monitoring, measuring and reporting compliance performance;

f) systems for raising concerns and processes to address them;

g) processes of investigation of instances of non-compliance.

6 Competence requirements for other personnel

6.1 General

Personnel conducting the application review to determine the audit team competence required, to select the audit team members and to determine the audit time, those reviewing audit reports and those making certification decisions are referred to as other personnel.

Other personnel shall have the generic competence described in ISO/IEC 17021-1, shall understand the requirements of ISO 37301 and the relationship between those requirements and shall have the CMS knowledge requirements described in 6.2.

6.2 Context of the organization

Other personnel shall have knowledge of the context in which the organization operates. Other personnel shall be able to understand the business activities and processes of the organization in so far as they relate to compliance obligations arising from the business activities of the organization within the scope of the CMS to be audited.