TECHNICAL SPECIFICATION

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

Part 9:
Competence requirements for auditing and certification of anti-bribery management systems

Évaluation de la conformité — Exigences pour les organismes procédant à l'audit et à la certification des systèmes de management —

Partie 9: Exigences de compétence pour l'audit et la certification des systèmes de management anti-corruption

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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. In the field of conformity assessment, ISO and IEC develop joint ISO/IEC documents under the management of the ISO Committee on Conformity assessment (ISO/CASCO).

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).

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. ISO and IEC shall not be held responsible for identifying any or all such patent rights. Details of any patent rights identified during the development of the document will be in the Introduction and/or on the ISO list of patent declarations received (see www.iso.org/patents).

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

For an explanation on 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 the following URL: www.iso.org/iso/foreword.html.

ISO/IEC/TS 17021-9 was prepared by Project Committee ISO/TC 278, *Anti-bribery management systems*, and the ISO Committee on conformity assessment (CASCO). It was circulated for voting to the national bodies of both ISO and IEC, and was approved by both organizations.

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

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 anti-bribery management system (ABMS) audits. It is intended that all ABMS auditors possess the generic competencies described in ISO/IEC 17021-1, as well as the specific ABMS competencies described in this document. Certification bodies will need to identify the specific audit team competence needed for the scope of each ABMS 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

For the purposes of research, users are encouraged to share their views on this document and their priorities for changes to future editions. Click on the link below to take part in the online survey:

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

Part 9:
Competence requirements for auditing and certification of anti-bribery management systems

1 Scope

This document complements the existing requirements of ISO/IEC 17021-1. It includes specific competence requirements for personnel involved in the certification process for anti-bribery management systems (ABMS).

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 37001:2016, *Anti-bribery management systems — Requirements with guidance for use*

3 Terms and definitions

For the purposes of this document, the terms and definitions given in ISO 37001 and ISO/IEC 17021-1 apply.

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

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

— IEC Electropedia: available at http://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.

NOTE 1   Annex A 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 ABMS audit teams

5.1 General

All personnel involved in ABMS auditing shall have a level of competence that includes the generic competencies described in ISO/IEC 17021-1, understand the requirements of ISO 37001 and the relationship between those requirements, as well as the ABMS knowledge described in 5.2 to 5.8.

NOTE 1   It is not necessary for each auditor in 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 Bribery concepts

5.2.1   The audit team shall have knowledge of bribery concepts including at least the following:

a)   direct and indirect payments;

b)   facilitation payments;

c)   non-financial benefits or advantages (e.g. benefits or opportunities to family members);

d)   conflicts of interests.

5.2.2   The audit team shall have knowledge of risks of bribery associated with third parties, such as public officials, agents, consultants, subcontractors, family or relations.

5.2.3   The audit team shall have knowledge of bribery scenarios related to at least the following:

a)   personnel, recruiting, hiring and remuneration;

b)   commercial activities;

c)   travel, gifts, and hospitality;

d)   donations and sponsorship;

e)   procurement and contracting;

f)   sales and marketing;

g)   manufacturing and supply chain;

h)   outsourced processes;

i)   merging and acquisitions.

5.2.4   The audit team shall have knowledge of bribery indicators (red flags).

NOTE   Lists of bribery indicators (red flags) are available, for example, from the International Chamber of Commerce (ICC), the Organization for Economic Co-operation and Development (OECD) and the World Bank.

5.2.5   The audit team shall have knowledge of controls used to prevent, detect and respond to bribery and of the consequences of inadequate or missing controls.

5.3 Context of the organization

5.3.1   The audit team shall have knowledge of the context in which the organization operates, including ISO 37001:2016, Clause 4.

5.3.2   The audit team shall have the knowledge and skills necessary to conduct independent research related to the organization to identify and understand, for example, recent bribery allegations or issues, industry-related bribery risks, or levels of government interaction or regulation.

5.3.3   The audit team shall have the knowledge of corporate structures, for example mergers and acquisitions, joint ventures and investment vehicles.

5.4   Laws, regulations and other requirements

The audit team shall have knowledge to determine whether an organization's procedures for identifying and evaluating its compliance with applicable legal requirements and other requirements applicable to its anti-bribery management system are adequate and have been implemented.

5.5   Bribery risk assessment and due diligence

The audit team shall have knowledge about how bribery risk assessments as described in ISO 37001:2016, 4.5, are conducted, including the understanding of different methodologies and their associated limitations and challenges, as well as an understanding of due diligence (ISO 37001:2016, 8.2) and the risks of bribery associated with business associate(s) (ISO 37001:2016, 8.5).

5.6   Bribery risks

The audit team shall have knowledge of the methods and skills for evaluating and controlling bribery risks that are described in ISO 37001:2016, Clauses 7 and 8.

5.7   Anti-bribery controls

The audit team shall have knowledge and skills in designing and evaluating anti-bribery controls and investigating bribery.

5.8   Anti-bribery management systems (ABMS)

The audit team shall have knowledge and skills in designing or implementing an ABMS or a similar compliance management or internal control system.

6   Competence requirements for personnel conducting the application review, those reviewing audit reports and those making certification decisions (other personnel)

6.1   General

Other personnel shall have the generic competence described in ISO/IEC 17021-1, understand the requirements of ISO 37001 and the relationship between those requirements, and the ABMS knowledge requirements described in 6.2 and 6.3.

6.2   Bribery concepts

Other personnel shall have knowledge of bribery concepts and risks.

6.3   Context of the organization

Other personnel shall have knowledge of the context in which the organization operates, including the information described in ISO 37001:2016, Clause 4.