Independent Evaluation Procedure for ISEAL Code Compliant Status

Version 12, Effective 1 March 2023

Summary of changes

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<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
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<tr>
<td>1 March 2023</td>
<td>Length of time for members and applicants to resolve minor non-compliances identified in evaluations extended from 3 months to 6 months</td>
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<tr>
<td>1 March 2023</td>
<td>Length of time for the secretariat to review and calibrate evaluation reports extended from 15 to 20 days</td>
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<tr>
<td>1 March 2023</td>
<td>Length of time for the secretariat to review and calibrate corrective action plans (CAPs) extended from 15 to 20 days</td>
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<td>1 March 2023</td>
<td>Length of time to agree findings from an evaluation extended from 10 to 20 days.</td>
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<td>The evaluator may arrange a clarification meeting with the member or applicant during the assessment and before the draft report is compiled.</td>
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<tr>
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<td>Additional supporting documents and references added:</td>
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<td>- ISEAL Independent Evaluation Member Submission Guidelines</td>
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Introduction
ISEAL Code Compliant status recognises adherence to ISEAL’s Codes of Good Practice. ISEAL Code Compliant organisations demonstrate a rigorous approach to improvement by implementing ISEAL’s Standard-Setting, Impacts and Assurance Codes of Good Practice.

ISEAL Community Members can claim to be ISEAL Code Compliant only when they have demonstrated adherence to the baseline and improvement criteria of each of ISEAL’s Codes of Good Practice in accordance with the processes and definitions in this procedure.

Purpose and Scope
The Independent Evaluation Procedure for ISEAL Code Compliant Status (hereafter ‘IEP’) defines how organisations achieve and maintain ISEAL Code Compliant status under ISEAL’s compliance programme.

Specifically, this procedure sets out:

› The overall process to apply for and attain ISEAL Code Compliant status
› How organisations maintain ISEAL Code Compliant status
› The mechanisms to agree extensions to required deadlines
› The mechanisms to dispute or appeal decisions related to compliance findings or the awarding of Code Compliant status

It should be used by ISEAL Community Members and Independent Evaluators when carrying out activities and responsibilities associated with the compliance programme and defines how and when decisions are taken by the ISEAL Secretariat and the ISEAL Membership Committee.

Roles and Responsibilities

ISEAL Code Compliant members and applicants for Code Compliant status

ISEAL Code Compliant members and Community Members applying for Code Compliant status (hereafter ‘member’ and ‘applicant’) are responsible for:

› Developing and maintaining their systems as described in ISEAL’s Codes of Good Practice and demonstrating this in accordance with this procedure
› Submitting accurate and representative information at the beginning of the evaluation process in accordance with the ISEAL Independent Evaluation Member Submission Guidelines
› Keeping up to date with changes to ISEAL’s Codes of Good Practice and with changes to the policies and procedures of ISEAL’s compliance programme
› Accurately communicating their compliance status in accordance with the ISEAL Member Claims Guidelines
Independent Evaluators
Independent Evaluators (hereafter ‘evaluators’) are responsible for:

› Assessing evidence of compliance with ISEAL’s Codes of Good Practice and deciding on the compliance status of a member or applicant against a Code or Code clause
› Reviewing and deciding whether to accept member or applicant Corrective Action Plans

ISEAL Secretariat
The ISEAL Secretariat (hereafter ‘secretariat’) is responsible for:

› Maintaining, reviewing, and communicating the policies, procedures and tools associated with the compliance programme
› Developing annual compliance schedules for organisations participating in the compliance programme (members and applicants) and identifying suitably qualified evaluators
› Receiving, assessing, and approving requests for extensions to deadlines identified in this procedure
› Recruiting qualified evaluators, maintaining the competence of evaluators, and ensuring the consistency of decisions related to compliance
› Receiving complaints and where possible supporting the resolution of breaches to the ISEAL Code Compliant Requirements in accordance with the ISEAL Complaints Procedure and this procedure
› Renewing, suspending or withdrawing ISEAL Code Compliant status in line with the processes set out in this procedure
› Communicate transparently about members’ status and their improvements in accordance with the ISEAL Data Policy: Data related to Community Member and compliance requirements
› Managing claims related to ISEAL Code Compliant status

ISEAL Membership Committee
The ISEAL Membership Committee is responsible for:

› Deciding on disputes against independent evaluation findings
› Deciding on appeals against decisions of the secretariat to suspend or withdraw Code Compliant status
› Deciding whether to grant or deny requests for extraordinary extensions to corrective actions
› Providing input on the annual compliance and monitoring schedule
› Annually appraising the secretariat’s application of its procedures for the Code compliance programme and as necessary making recommendations to the ISEAL Board
Terms and Definitions

ISEAL Code Compliant
An allowed claim indicating that an ISEAL Community Member has been independently evaluated and found to be compliant or provisionally compliant with all of ISEAL’s Codes of Good Practice in accordance with this procedure.

Compliant with a Code of Good Practice
A procedural determination resulting from an independent evaluation and / or review of implemented corrective actions that a full system, practice or process meets the specific criteria of a Code of Good Practice.

Compliance with a Code is not a permitted claim.

Provisionally compliant with a Code of Good Practice
A procedural determination resulting from either a delay in conducting an independent evaluation or a decision that agreed corrective actions, when implemented within the agreed timelines, will fully resolve non-compliances identified against the specific criteria of a Code of Good Practice.

Provisional compliance is not a permitted claim.

Compliant with a clause
A procedural determination resulting from an independent evaluation that a specific element of a system, practice or process meets the specific criteria associated with the scope of the evaluation.

Compliance with a clause is not a permitted claim.

Not compliant
A procedural determination resulting from an independent evaluation or review of corrective actions that:

› a specific element of a system, practice or process does not meet the criteria associated with the scope of the evaluation

› proposed corrective actions will not fully resolve non-compliances identified against the specific criteria of a Code of Good Practice where a system, practice or process was determined to have not met the specific criteria of a Code of Good Practice

› a member or applicant has failed to fully implement agreed corrective actions designed to resolve non-compliances identified against the specific criteria of a Code of Good Practice where a system, practice or process was determined to have not met the specific criteria of a Code of Good Practice

Minor non-compliance
A single observed lapse of a required system, practice or process that is:

› temporary and not systemic

› one where the impacts of the non-compliance are limited in their spatial scale

Major non-compliance
Absence, or a persistent breakdown, of a required system, practice or process that:
continues over a long period of time; or
is repeated or systemic; or
affects a wide area of operations or procedures; or
is not corrected or adequately responded to by the member or applicant once it has been identified; or
consists of three minor non-compliances across related control points

Day
A working day in the jurisdiction of the parties involved.

Supporting documents and references

The following documents provide supporting information for members and applicants when participating in the compliance programme and communicating ISEAL Code Compliant status:

- ISEAL Assurance Code of Good Practice
- ISEAL Impacts Code of Good Practice
- ISEAL Standard-Setting Code of Good Practice
- ISEAL Compliance Programme Application Form
- ISEAL Independent Evaluation Member Submission Guidelines
- ISEAL Code Compliant Extension Request Guidelines
- ISEAL Extension Request Form
- ISEAL Code Compliant Requirements
- ISEAL Community Member Requirements
- ISEAL Complaints Procedure
- ISEAL Member Claims Guidelines
- ISEAL Membership Committee Terms of Reference
- ISEAL Data Policy: Data related to Community Member and compliance requirements

Evaluation frequency

Members participating in the compliance programme must be evaluated for compliance against the Assurance Code and Impacts Code of Good Practice at least once every four years.

The frequency of ISEAL Standard-Setting Code evaluations is dependent upon the member’s own review and revision cycle for its standard(s), but these must occur at least once every five years. Members will communicate their anticipated review and revision schedules to the secretariat annually.
Applicants
Applicant evaluation cycles start from the completion of the initial independent evaluation. It is for the applicant to determine the timing of future evaluations. To gain ISEAL Code Compliant status, the applicant will need to have been evaluated against all Codes within the same four-year period.

Code Compliant members
Code Compliant members will be evaluated against the Assurance Code and Impacts Code at least once every four years and the Standard-Setting Code at least once every five years.

Ad-hoc evaluations
The secretariat reserves the right to initiate ad hoc independent evaluations in response to any significant change in operations on the part of the member or applicant or to investigate complaints and other credible reports of non-compliance.

Applying for ISEAL Code Compliant status
If you have been in good standing as an ISEAL Community Member for a continuous period of 12 months, you may apply to participate in the compliance programme.

Applicants will complete the ISEAL Compliance Programme Application Form and submit it to compliance@isealalliance.org.

The secretariat will acknowledge receipt within 5 days and then arrange an onboarding meeting to:

› Support you in your understanding of the ISEAL compliance programme
› Understand the context and maturity of your system
› Support you in identifying the most appropriate sequence of independent evaluations
› Agree a provisional start date for the first independent evaluation

Independent evaluation process

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Figure 1 Overview of the independent evaluation process steps
Pre-Evaluation

1) Provisional annual evaluation schedules will be sent to all members on or before 30 September of the preceding year or, in the case of applicants, following the agreements made at the onboarding meeting.

2) The secretariat will pre-assign evaluators based on qualifications, previously conducted evaluations and accounting for the possibility of conflict of interest.

3) Members and applicants will confirm acceptance of an evaluator’s assignment or justify why the proposed assignment is not suitable within 10 days. Where sufficient justification is provided, the secretariat will endeavour to identify and propose an acceptable alternative. The secretariat will take the final decision on evaluator allocation.

4) The secretariat will send an email reminder and invoice two months before each scheduled evaluation submission date.

5) The secretariat will contract the evaluator.

6) Members and applicants will submit the relevant checklist and supporting evidence before the agreed submission date, using the designated format and information sharing platform and inform the secretariat on completion.

7) The secretariat will review the completeness of the submission within 10 days. In the event of an incomplete submission or one that requires clarification, the member or applicant will be asked to provide clarification or further evidence within a further 10 days.

8) The secretariat will share the complete submission with the evaluator, who will acknowledge receipt within 5 days.

Evaluation

9) The evaluator will conduct the evaluation within 20 days from acknowledgement and will submit a draft report to the secretariat within that period. During this period, the evaluator may contact the member or applicant for clarification and will copy the secretariat. If necessary and for evaluations where there are significant points of clarification, the evaluator may arrange a clarification meeting with the member or applicant before the draft report is compiled.

10) The draft report will identify the compliance status with each clause of the relevant ISEAL Code of Good Practice using the definitions outlined in this document.

11) The secretariat will review the evaluator’s draft report for quality, completeness and consistency within 20 days from receipt. Where clarification is needed or the findings are inconsistent, the secretariat will arrange a meeting with the evaluator to discuss the calibration of the report.

12) If the draft report identifies significant areas which are not in compliance with the evaluated Code of Good Practice, in coordination with the evaluator the secretariat will review the course of action and inform the member or applicant about potential implications which may include additional fees for evaluating evidence and the potential of a resulting status of ‘Not Compliant’.
13) The evaluator will inform the member or applicant within 5 days of the report being calibrated that the final draft report is available.

14) The evaluator will invoice ISEAL for the independent evaluation within 20 days from the report being calibrated.

15) The evaluator will arrange a meeting with the member or applicant to discuss and agree the findings within 20 days.
   a. Where appropriate, the evaluator may request further evidence from a member or applicant after the meeting to demonstrate compliance with a code clause.
   b. Where members or applicants disagree with the findings of an evaluator, the member or applicant and the evaluator are encouraged to seek resolution through dialogue.
   c. The evaluator will inform the member or applicant and the secretariat once the report is finalised. Failure to agree findings should be treated as a dispute (see ‘Disputes’), otherwise the findings and decision of the evaluator are final.

Post-Evaluation

16) Where no non-compliances have been identified by the evaluator, the member or applicant will be determined to be in compliance with the evaluated Code of Good Practice.

17) Where non-compliances have been identified, members or applicants have 20 days to submit a Corrective Action Plan (CAP) to the evaluator and secretariat. CAPs must:
   a. Provide sufficient detail on how the planned improvements serve to address identified non-compliances
   b. Identify the evidence that will be supplied to demonstrate that the improvements have been implemented
   c. Identify the timeline and resources necessary to implement the improvements, including relevant milestones.
   d. Provide an accurate and accessible summary of the planned improvements that the member or applicant agrees can be made publicly available

Members or applicants must be able to provide evidence to the evaluator and secretariat that the resources identified as being necessary to implement improvements are being allocated.

18) The evaluator will review the CAP within 10 days from receipt and submit draft conclusions to the secretariat. During this period, the evaluator may contact the member or applicant for clarification and will copy the secretariat.

19) The secretariat will review the CAP and the evaluator’s conclusions for quality, completeness and consistency within 20 days. During this period, the secretariat may contact the evaluator for clarification.
20) The secretariat will communicate the outcome of the evaluator’s CAP review within 10 days of calibration to the member or applicant and evaluator.

   a. If the evaluator determines that the implementation of the CAP will sufficiently address the non-compliances, the member or applicant will be determined to be provisionally compliant and the timeline for implementation of corrective actions will commence, or;

   b. If the evaluator deems a CAP insufficient or not sufficiently detailed to address a non-compliance, and this could not be clarified between member or applicant and evaluator during the CAP review (step 18), the secretariat will communicate this to the member or applicant within 10 days. The member or applicant will then have a further 10 days to address the outstanding issues or raise a dispute. Failure to address the issues within this time will result in the secretariat communicating a status of ‘Not Compliant’.

21) The evaluator will invoice ISEAL for the independent evaluation within 20 days from the decision on compliance.

Management of non-compliances

22) Timelines for implementing agreed corrective actions start when the secretariat communicates the approval of the CAP to the member or applicant. Members or applicants have 6 months to implement corrective actions for both minor and major non-compliances.

23) Members or applicants will demonstrate the implementation of the agreed corrective actions by submitting evidence using the designated format and information sharing platform and inform the secretariat within the agreed timeline.

24) The secretariat will contact the evaluator to assign the review of the evidence within 5 days.

25) The evaluator will review the corrective actions within 20 days from receipt. During this period, the evaluator may contact the member or applicant for clarification and will copy the secretariat.

   a. If the evaluator determines that the CAP has been fully implemented, members or applicants will be determined to be compliant with the Code of Good Practice and the evaluator will communicate this to the member or applicant and secretariat.

   b. If the evaluator deems that the CAP has not been fully implemented, the evaluator will communicate this to the member or applicant and secretariat within 10 days. The member or applicant will then have a further 10 days to address the issues or raise a dispute. Failure to address the issues within this time will result in the evaluator communicating a status of ‘Not Compliant’.

26) The evaluator will invoice ISEAL for the independent evaluation within 20 days from the decision on compliance.
Claims

ISEAL Community Members who are in good standing and who have been found to be compliant with all of ISEAL’s Codes of Good Practice in accordance with this procedure will be awarded Code Compliant status and may use the term ISEAL Code Compliant and the associated logo in accordance with the ISEAL Member Claims Guidelines.

ISEAL Community Members who are in good standing and who have been found to be compliant or provisionally compliant with all of ISEAL’s Codes of Good Practice in accordance with this procedure, and who have demonstrated the feasibility of implementing all necessary improvements within required timeframes, will also be awarded Code Compliant status and may use the term ISEAL Code Compliant and the associated logo in accordance with the ISEAL Member Claims Guidelines.

1) Upon completion of required independent evaluations, members and applicants will be asked to reiterate their commitment to the ISEAL Code Compliant Requirements within 20 days. They may also be asked to submit to the secretariat further evidence that demonstrates that the implementation of all improvements identified in any open CAPs is cumulatively feasible.

2) As necessary, the secretariat will arrange a meeting with the member or applicant within 10 days to:
   a) Review the totality of any open corrective actions and discuss the feasibility of implementing necessary improvements
   b) Discuss how the ISEAL Code Compliant claim and logo can and cannot be used

3) The secretariat will confirm within a further 10 days whether ISEAL Code Compliant status has been awarded, maintained, suspended or withdrawn.

Extensions and delays

Members and applicants may request extensions when they anticipate they will not be able to meet a deadline associated with this procedure. Extensions must be justified and the granting of an extension is not guaranteed. Please refer to the ISEAL Code Compliant Extension Request Guidelines in advance of requesting an extension.

Maximum extension lengths accorded by the secretariat are as follows:

- Initiating a scheduled or required evaluation – 6 months
- Submission of corrective actions – 1 month
- Implementation of corrective actions – 3 months for minor non-compliances and 6 months for major non-compliances.

Members and applicants with requests for extensions beyond the maximum extension lengths described above must apply to the ISEAL Membership Committee in order to remain provisionally compliant.

1) The member or applicant will submit a complete Extension Request Form and supporting evidence to compliance@isealalliance.org.

2) The secretariat will review the request and communicate the decision within 20 days from receipt. The secretariat may contact the member or applicant during this time for additional clarification.
3) If required, the Membership Committee will be convened within 30 days to review the materials submitted by the member or applicant. The committee will determine whether the extraordinary request is justified and provide a response to the member or applicant within 10 days.

If an extension is granted, the timeline will start from the communicated deadline associated with the independent evaluation procedure and not from the date the extension request is approved.

Where the evaluator or secretariat foresee that they will not be able to meet a deadline associated with this procedure, the secretariat will inform the member or evaluator and agree the implications to the evaluation timeline.

**Disputes**

Where members or applicants disagree with the outcome of an evaluation and/or the findings of an evaluator, the member or applicant and the evaluator are encouraged to seek resolution through dialogue. Where this is not possible, members and applicants may lodge a formal dispute to the secretariat by email at compliance@isealalliance.org.

1) Members and applicants must lodge formal disputes with the evaluator and the secretariat within 10 days from receipt of the final report.

2) Members and applicants must provide a narrative letter outlining why they consider they are compliant with the relevant criterion, or why a major non-compliance should be downgraded to a minor non-compliance. This must be based on the information provided during the evaluation and the discussion of the draft report findings.

3) The evaluator will provide their conclusions to the member or the applicant and the secretariat within 20 days. The evaluator may ask the secretariat for clarification during this time.

4) In exceptional cases where the member or applicant is not satisfied with the outcome of the dispute review, the secretariat will forward the dispute to the Membership Committee for its review and a final decision on the review and dispute outcome.

**Suspension and Withdrawal**

Suspension of Code Compliant status occurs:

- when members are found to be not compliant and/or
- when they fail to meet the deadlines associated with this procedure

Members whose Code Compliant status is suspended may not claim to be ISEAL Code Compliant.

When notifying a member of a suspension, the secretariat will request that within 20 days the member provides a rationale and comprehensive plan to address the underlying issues. Failure to respond will result in withdrawal of Code Compliant status.

The maximum term for suspension is six months. If the member has not addressed the issues within that timeframe, the organisation’s Code Compliant status will be withdrawn.
Members may also voluntarily withdraw their Code Compliant status.

**Appeals**

Where a member or applicant disagrees with a decision to suspend, withdraw, or not award Code Compliant status, the member or the applicant and the secretariat are encouraged to seek resolution through dialogue. Where this is not possible, members and applicants may lodge a formal appeal to the ISEAL Membership Committee.

The ISEAL Membership Committee is responsible for hearing and deciding on appeals and their decision is final.

1) Appeals must be submitted to the secretariat within 30 days of the notification of the respective decision. Submissions should clearly state that a formal appeal is being lodged, explain the nature of the appeal, and include all documented evidence to support the appeal.

2) The secretariat will acknowledge receipt of the appeal within 5 days.

3) The secretariat will notify the ISEAL Membership Committee and forward to the Committee all information received from the appellant within 15 days of acknowledging receipt.

4) The Committee will assess the submitted information within 40 days and determine whether to uphold or overturn the decision of the secretariat and will inform the secretariat.

5) The secretariat will contact the appellant within 10 days to inform them of the decision.