

Protection of Impartiality, Confidentiality and Independence Procedure



MARINE

TÜV AUSTRIA MARINE

PRO-012

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Protection of Impartiality, Confidentiality and Independence Procedure

Procedure Name Protection of Impartiality, Confidentiality and Independence Procedure		Procedure Lead Upper Management Quality Manager		Goals / KPI: LST-008a	
				Risk Evaluation: FRM-012a	
Procedure Suppliers Impartiality Committee Members, Customers			Procedure Clients Impartiality Committee, Public, Customers, TÜV AUSTRIA		
Inputs Impartiality, Confidentiality, Independence Matters to be discussed at the Committee on impartiality and the relevant committee within the scope of ISO/IEC 17065 and EN ISO/IEC 17020 Risk Analysis Professional Responsibility Risk Analysis Conflict of Interest analysis over Job Folder Compliance Program KVKK		Outputs Impartialities and Accepted Decisions Measures Review Results Risk Analysis Professional Responsibility Risk Analysis Job Folder		References EN ISO/IEC 17020 EN ISO/IEC 17065 5.2	

Flowchart	No	Critical Activity	Description	Records	Reference	Standard
	0.1	Purpose	The purpose of this procedure is; TÜV AUSTRIA MARINE HİZMETLERİ A.Ş. (in this procedure, the company will be referred to as TÜV AUSTRIA MARINE 's) testing, inspection, conformity assessment activities in accordance with the principles of impartiality, confidentiality and			

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			<p>independence and to protect impartiality; It is the determination of the authorities, responsibilities and methods in order to carry out the policies, procedures and their functioning that support the service delivery and the activities of the managers, committees and personnel with the principle of complete impartiality.</p> <p>It also explains the efforts of TÜV AUSTRIA MARINE personnel to ensure and maintain the impartiality and confidentiality of their activities against customers or competitors.</p> <p>It is aimed to form was formed in order to protect impartiality in TÜV AUSTRIA TURK's services and to document methods and procedures with regards to working principles.</p>			
Scope	0.2		<p>This procedure includes testing, inspection, conformity assessment activities carried out within TÜV AUSTRIA MARINE.</p>			
Definitions	0.3		<p>Impartiality, in general is the state of not taking sides, staying neutral, not making preferences between attitudes and opinions that are determined in a certain time and place. In ordinary language it is also used for words such as indetermination, abstention, inertia, unresponsiveness.</p> <p>Privacy; it may be documents, information, certificates presented as evidence during the filling of the inspection</p>			

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			<p>forms required during the inspection or the confidential information reached by the inspection personnel, auditor and test personnel as result of the works. In addition, the information provided by third parties about the customer is considered to be confidential. Product information, service information, process information, R&D information, personnel information obtained from the customer during the inspection are each confidential information. If the legal authorities request such information, the information shall be sent to the customer in the following ways:</p> <ul style="list-style-type: none"> • By e-mail, • With phone calls, • By forwarded registered mail, • The customer is informed by face to face meeting. <p>The privacy policy requires that we share this information as we disclose to the public with this procedure and on the web. Its responsibility is at the top management of TÜV AUSTRIA MARINE.</p> <p>TÜV AUSTRIA MARINE will keep confidential personal information about its employees and data about customers, business partners and suppliers. It is extremely important to take into account the data protection law such as KVKK and to fulfill the requirements required within the framework of the law.</p> <p>Honesty / Integrity; Honesty is a requirement for a comprehensive consensus between one's own ideals and</p>			

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			<p>values and corporate values.</p> <p>TÜV AUSTRIA MARINE acts professionally, independently and impartially in all its activities and has developed a systematic to ensure this.</p> <p>TÜV AUSTRIA MARINE will not tolerate any deviation from the approved methods and procedures by doing its job honestly. In cases where provision is made for tolerances in the results of approved test methods, TÜV AUSTRIA MARINE ensures that these tolerances are not misused to alter the actual test findings.</p> <p>TÜV AUSTRIA MARINE reports data, test results and other material facts in good faith and publishes reports and certificates that accurately present actual findings, professional opinions or results obtained, without improperly changing them.</p> <p>Conflict of Interest; "Conflict of Interest" is a situation in which an individual, organization or affiliated organization uses the professional supervisory process and method for providing benefits that affect the certification process decisions and certification recommendations in the related standards, in the documentation activities described in guidelines and documents.</p> <p>It is mandatory for every employee to disclose situations that may lead to conflicts of interest. Such cases are reported to</p>			

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			<p>the authorized personnel about how the conflict of interest should be resolved, taking into account all legal and normative requirements of the conflict of interest, together with other relevant parties when necessary.</p> <p>Anti Bribery; TÜV AUSTRIA MARINE is against all kinds of corruption and bribery and does not tolerate any practice where work is done unfairly. TÜV AUSTRIA MARINE employees cannot offer business partners any benefits that appear to be weak in their ability to make objective and fair business decisions or accept them from business partners.</p> <p>In cases where facilitation payments are determined, TÜV AUSTRIA MARINE takes the necessary measures to investigate and eliminate them.</p> <p>Impartiality; The inspection regarding impartiality is made by the Quality Manager by checking the existing inspection services. The Quality Manager presents the report he prepared as a result of this control at the YGG meeting. Studies are carried out according to the decisions taken at the meeting.</p> <p>The Quality Manager is responsible for maintaining impartiality and ensuring that decisions are taken free of commercial, financial and other pressures at decision points regarding these activities.</p> <p>Risk Analysis; is the name of the analysis where all the</p>			

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			<p>risks, which may occur in all scopes the activities are carried out, are defined, evaluated, measures are taken and followed by TÜV AUSTRIA MARINE.</p> <p>Residual Risk; It is the type of risk resulting from the risks arising from the variables that are not under the direct control of TÜV AUSTRIA MARINE or the activities of TÜV AUSTRIA MARINE as a result of all activities related to mitigating a risk.</p>			
References	0.4	About impartiality, secrecy and independence references	<p>TS EN ISO/IEC 17020 4.1.1 / 4.1.2 / 4.1.3 / 4.1.4 / 4.1.5 / 4.1.6(a) / 5.2.1 / 6.1.12 / 6.3.1 / 6.1.13 / 6.1.11 / 4.2</p> <p>TS EN ISO/IEC 17065 4.2 / 6.2.2 / 6.1.1.2 / 6.1.2 / 6.1.3 / 4.4.4 / 5.2 / 4.5 / 6.1.1.3</p>			
Commitment	1.0		<p>TÜV AUSTRIA MARINE's top management has 'FRM-012c Senior Management Confidentiality, Impartiality and Independence Commitment' regarding privacy, impartiality and independence. This commitment is shared with the public on our website.</p> <p>TÜV AUSTRIA MARINE shall sign the 'FRM-012d Confidentiality and Impartiality Agreement' from its internal and external staff and, if any, its subcontractors' personnel.</p> <p>TÜV AUSTRIA MARINE receives 'FRM-005j Signature Declaration' for use in all activities performed by TÜV AUSTRIA MARINE from all internal and external personnel. This declaration guarantees the invariability of signatures.</p>	<p>FRM-012c Senior Management Confidentiality, Impartiality and Commitment to Independence</p> <p>FRM-012d Confidentiality and Impartiality Agreement</p> <p>FRM-005j Signature Declaration</p>	<p>4.1.5 / 4.2</p> <p>4.2</p>	<p>EN ISO/IEC 17020</p> <p>EN ISO/IEC 17065</p>

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			All internal and external personnel declare the inviolability of their signature and initials for use in all activities performed on behalf of TÜV AUSTRIA MARINE by this declaration.			
Impartiality Risks	2.1	Impartiality Risk Classes	<p>Risks to impartiality include trends that may arise from:</p> <p>a) An individual interest (for instance, fear of losing a customer or losing a contract, or fear of becoming unemployed, which would affect the impartiality of the conduct of conformity assessment activities negatively),</p> <p>b) Self reviewing (Conduct of a conformity assessment activity, where the certification body assesses the results of other services (eg consulting) previously provided)</p> <p>c) Partiality (for example, a certification body or its staff acting on the same or opposite side of a company as a client of its own)</p> <p>d) Significant familiarity (for example, the risk that the certification body or its staff is significantly more familiar or trusted than the evidence of conformity; this risk management in the context of product-documentation is more difficult because of the requirement of highly specialized staff),</p> <p>e) Scare (for example, risks or fears arising from a client or other interested party that may prevent the certification body or personnel from acting in an impartial manner);</p>	FRM-012a Risk Analysis	4.2 /5.2 4.1	EN ISO/IEC 17065 EN ISO/IEC 17020

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Impartiality Risks			<p>f) Competition (for example, between the customer and a contracted person).</p> <p>TÜV AUSTRIA MARINE uses 'FRM-012a Risk Analysis' in order to minimize risks such as ownership, administration, management, staff, shared resources, finance, contracts, marketing and commission payment for the guidance of new customers or other incentives together with the above mentioned risk groups.</p>			
Management of impartiality	3.1	Management of impartiality	<p>It is recognized that the source of revenue for TÜV AUSTRIA MARINE is its client paying for certification, testing, inspection and conformity assessment activities that this is a potential threat to neutrality in the 'FRM-012a Risk Analysis'.</p> <p>Any relationship that poses an unacceptable threat to impartiality (if an affiliate, all of which belongs to TÜV AUSTRIA MARINE, requests product-service-process, system or certification from TÜV AUSTRIA MARINE) is not certified. Risks based on such relationships are examined in the 'FRM-012a Risk Analysis'.</p> <p>With the 'FRM-012a Risk Analysis', the risks are closed, monitoring and residual risk are concluded. TÜV AUSTRIA MARINE Senior Management reviews and agrees with the 'FRM-012h Risk Report' to determine whether the remaining risk is at an acceptable risk level.</p>		<p>4.2 /5.2</p> <p>4.1</p>	<p>EN ISO/IEC 17065</p> <p>EN ISO/IEC 17020</p>

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Risk Management	4	Identification and Control of Risks	<p>TÜV AUSTRIA MARINE presents the potential risks that may arise within its scope through 'FRM-012a Risk Analysis'. The reason of emergence of the risk after definition is analyzed by root-cause analysis with the 'FRM-012 Risk Analysis'. Responsibility Center is appointed and necessary monitoring is done. The identified risks are examined by the Quality Manager.</p> <p>FRM-012a Risk Analysis is subjected to checks at the required intervals specified in the analysis by the Quality Manager. Changes in the organizational structure and any changes that affect the current status of the risks are followed and recorded to 'FRM-012a Risk Analysis'.</p> <p>TÜV AUSTRIA MARINE employees create inputs to the 'FRM-012a Risk Analysis' with the risks envisaged as the result of internal and external audits, internal inspections, etc.</p> <p>In 'FRM-012a Risk Analysis', green, yellow and red coloring are used in the evaluation section. The detail values for these colors are given in the FRM-012a J column. Green colors; acceptable, yellow colors; is submitted to the approval of the conditionally acceptable General Manager; red colors are unacceptable risks and are submitted to the General Manager together with corrective action.</p> <p>If the risks identified by 'FRM-012a Risk Analysis' occur</p>		4.2 / 5.2 4.1 / 4.2	EN ISO/IEC 17065 EN ISO/IEC 17020

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			<p>again or no risk is encountered, the risk analysis is re-examined by increasing or decreasing the probability of the relevant analysis.</p> <p>The 'FRM-012a Risk Analysis', which has been approved by MR to the top management, is announced to all personnel via Server. Announcement of updates made during the year is also carried out via e-mail.</p>			
Professional Responsibility	5	Professional Responsibility Risk Analysis	<p>The Professional Responsibility Insurance provides assurances to the compensation claims that they shall have to pay due to the damage and loss they may cause to the third persons because of negligent, faulty and flawed nature of the insured's inadequate and/or faulty transactions.</p> <p>The Professional Responsibility Insurance must include at least the following information:</p> <ul style="list-style-type: none"> ✓ insured, ✓ address, ✓ insurance coverage, ✓ insurance period, ✓ job description ✓ geographical position, ✓ occupational liability statement, ✓ amount, ✓ expiry date, ✓ non-coverage (natural disaster, war etc.), 		<p>5.1.4</p> <p>4.3</p>	<p>EN ISO/IEC 17020</p> <p>EN ISO/IEC 17065</p>

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Professional Responsibility			<p>The 'FRM-012b Vocational Liability Insurance Analysis' is controlled through analysis developed to encompass all the sites operating in TÜV AUSTRIA MARINE (accredited or non-accredited areas).</p> <p>The financial risk that may arise in any scope together with the method of analysis developed and the multiplicities of the probabilities of these risks are calculated on the basis of the material provision of the resulting value of violence. The minimum number of Professional Responsibility Insurance to be performed by TÜV AUSTRIA MARINE is reached according to the total value presented here.</p> <p>'FRM-012b Vocational Liability Insurance Analysis' is checked by the Quality Unit before the Management Review Meeting and presented with the Professional Responsibility Policies at the Management Review Meeting.</p> <p>The scope of the Professional Responsibility Insurance is revised for the issues that need to be checked and updated by the Quality Manager.</p>			
Confidentiality	5.1	Declaration of Privacy and Objectivity	TÜV AUSTRIA MARINE publishes the 'FRM-012e Privacy Policy', which is an integral part of the 'FRM-012d Confidentiality and Impartiality Agreement' signed by all the personnel together with the commitment of top management on protection of confidentiality.	FRM-012c Senior Management Confidentiality, Impartiality and Independence Commitment	4.1 / 4.2 4.5 / 4.2	EN ISO/IEC 17020 EN ISO/IEC 17065

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				FRM-012d Confidentiality and Impartiality Agreement FRM-012e Privacy Policy		
Privacy and Data Protection	5.2	Protection of Personal Data	<p>TÜV AUSTRIA MARINE acts in accordance with the decisions and regulations stipulated in the Law regarding the transfer of Personal Data.</p> <p>Without prejudice to the exceptional circumstances in the legislation, personal data and sensitive data are not transferred by TÜV AUSTRIA MARINE to other natural persons or legal entities without the explicit consent of the Relevant Person, even if they are obtained from sources other than the customer.</p>			
Meeting Planning	7	Planning Impartiality Meeting	<p>Before TÜV AUSTRIA MARINE organizes meetings on Impartiality, the following activities must be carried out;</p> <ol style="list-style-type: none"> Establishment of a calendar for the meeting of the subject of neutrality Inviting the members of the neutrality issue to the meeting Preparing and sending the meeting content of the participants selected according to the (Parties and) Sectors 	<p>Impartiality Meeting Agenda</p> <p>Invitation Letters, E-Mail</p>	5.2	EN ISO/IEC 17065
Conducting Meeting	8		<p>The Quality Manager keeps the records of the following details with the FRM-012z Meeting Minute in order to act as the secretariat in the meetings;</p> <ol style="list-style-type: none"> Discussed, understood, discussed issues, laws, Following the voting in line with the decisions taken, 	FRM-012z Meeting Minute		


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Result	10	Impartiality Record Results	The Quality Manager should record and review the voted decisions and results at the end of the Impartiality clauses and submit to the Technical Manager / Responsible for taking necessary measures where necessary and have them approved. (Acknowledgement is assurance that necessary actions will be taken.)	FRM-012z Meeting Minute	5.2	EN ISO/IEC 17065
						
<p>The results of the annual meetings of are considered in the management review meetings.</p> <p>The risk analysis is reviewed in the MR meetings with regular intervals.</p>						

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Table 1 Revision Tracking Chart

#	Revision Date	Revision Description	Issuer	Approved by
00	05.04.2023	Document has been published.	OOK	YUN
01				
02				
03				
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PREPARED BY / REVISED BY (Name, Surname, Position, Signature)	CONFIRM / RELEASE (Name, Surname, Position, Signature)
Özlem OK Quality Manager	Yankı ÜNAL Chairman of the Board

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