



## INAB Policy on dealing with fraudulent behaviour

PS37

### Introduction

Award and maintenance of accreditation by INAB depends on establishing a relationship of trust between INAB and its conformity assessment bodies (CABs), supported by objective evidence that relevant requirements have been met. If that trust is broken as a result of fraudulent behaviour by a CAB, then this cannot be dealt with as a routine ‘nonconformity.’

### Scope

This INAB policy statement applies to all INAB’s applicant and accredited conformity assessment bodies.

### References

- ISO/IEC 17011:2017, Conformity assessment - Requirements for accreditation bodies accrediting conformity assessment bodies
- IAF MD 7:2023, IAF Mandatory Document for the Harmonization of Sanctions and Dealing with Fraudulent Behaviour
- IAF ID 15:2023, Dealing with Fraudulent Behaviour

### Normative background and definition of ‘fraudulent behaviour’

If INAB discovers evidence of fraudulent behaviour, or if a CAB intentionally provides false information or conceals information, INAB is required to reject an application or terminate the assessment process (as per ISO/IEC 17011 clause 7.2.3 for applicant CABs), or for accredited CABs, to initiate its process for withdrawal of accreditation (ISO/IEC 17011 clause 7.11.2).

However, ISO/IEC 17011 does not define what is meant by ‘fraudulent behaviour.’ For the purposes of this policy statement, fraudulent behaviour is considered to be *“any intentional misrepresentation, concealment of information or provision of false information to INAB or to a relevant interested party, resulting in the deliberate violation of accreditation rules.”*

### Policy

Any information received by INAB on alleged fraudulent behaviour will be assessed to establish its validity.

When the issue is considered to be valid, INAB will perform an initial investigation under fair and reasonable conditions, seeking an explanation from the CAB.

Based on this initial investigation, if INAB has a reasonable belief of fraudulent behaviour, a more formal assessment will be undertaken, which may include on-site surveillance but could also involve probity tests (using experts trained in investigation techniques), or forensic audits, when the integrity of the CAB is in doubt. INAB will also consider results of any regulatory decisions, court hearings or administrative hearings as part of its investigation.

If this assessment concludes that the allegation of fraudulent behaviour is valid, INAB will take action that is proportionate to the behaviour. For example, behaviour which is isolated to specific persons or functions may not result in immediate withdrawal or refusal of accreditation, but where fraudulent behaviour is sustained or systemic, withdrawal or refusal of accreditation will almost certainly be the outcome.

Withdrawal or refusal of accreditation may also apply in situations such as:

- Valid withdrawal of accreditation by another (IAF) member body
- Prosecution of the CAB in a court or tribunal for criminal behaviour
- Prosecution in a court for criminal behaviour of a person who has control of the management of the CAB
- The CAB attempted to give inducements to INAB personnel to influence the outcome of an assessment or a decision.

## Fraudulent behaviour by clients of INAB accredited CABs

Dealing with situations like these can be complex because INAB will not generally have a direct relationship with clients of accredited CABs. Nonetheless, if fraudulent behaviour is found to directly contravene accreditation rules, this will be a matter of direct concern to INAB because of the impact on INAB's reputation.

INAB therefore expects accredited CABs to promptly and effectively deal with fraudulent behaviour by their clients. Failure to do so will result in sanctions being applied to the CAB, up to and including suspension or withdrawal of accreditation where the CAB cannot justify its actions.

## Communication

Information on fraudulent behaviour by a CAB may be communicated to INAB via [inab@inab.ie](mailto:inab@inab.ie). INAB will adhere to Protected Disclosures legislation where applicable.

INAB may delay its own investigation while an investigation by a regulatory body is underway. In such circumstances, this fact will be reported to the IAF Secretariat. In the event suspension or withdrawal of accreditation as a result of fraudulent behaviour, INAB will:

- Record the suspension or withdrawal on its website
- Notify the IAF Secretariat, which will in turn notify all IAF member accreditation bodies.

In as far as confidentiality requirements allow, INAB will inform relevant interested parties (for example, other accreditation bodies, regulators and scheme owners) whenever fraudulent behaviour is confirmed.

## Further information

For further information, please contact INAB at [inab@inab.ie](mailto:inab@inab.ie).