



## **FORMAL COMPLAINT SUBMITTAL** r0

BSI  
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Chiswick London  
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Via email to: [emea.complaints@bsigroup.com](mailto:emea.complaints@bsigroup.com), [Howard.Kerr@bsigroup.com](mailto:Howard.Kerr@bsigroup.com)  
CC: [lgillespie@anab.org](mailto:lgillespie@anab.org), [secretary@IAF.nu](mailto:secretary@IAF.nu), [andreas.steinhorst@european-accreditation.org](mailto:andreas.steinhorst@european-accreditation.org),

**May 5, 2020**

### **1. PREAMBLE**

Oxebridge Quality Resources International (Oxebridge) hereby requests formal corrective action in accordance with clauses 4.7 and 9.8 of ISO 17021-1:2015, to include a documented acknowledgement of receipt of this complaint, a thorough and systemic investigation, corrective and preventive corrective action, and notification of actions taken when complete.

NOTE: ISO 17021-1 clause 4.7 indicates that complaints may be issued to certification bodies by “parties that rely on certification,” and not only direct clients of the certification body. It furthermore references ISO 10002 in its section on complaints, and ISO 10002 allows for the submission of complaints to certification bodies by “interested parties,” and not just direct customers. Based on this information, Oxebridge asserts it right to submit this complaint not only on behalf of its clients, but on behalf of itself as an interested party and industry stakeholder, directly concerned with the validity of the certificates issued by accredited certification bodies.

### **2. APPLICABLE ISO 17021 CLAUSES**

The herein complaint relies on the knowledge that BSI is accredited by ANAB to ISO 17021-1:2015 for the issuance of ISO 9001 certificates, and that as a result BSI is subject to the following rules and definitions from ISO 17021-1:

*4.2.3 To obtain and maintain confidence, it is essential that a certification body's decisions be based on objective evidence of conformity (or nonconformity) obtained by the certification body, and that its decisions are not influenced by other interests or by other parties.*

*4.2.4 Threats to impartiality include the following:*

*a) Self-interest threats: threats that arise from a person or body acting in their own interest. A concern related to certification, as a threat to impartiality, is financial self-interest.*

*5.2.3 When a relationship poses an unacceptable threat to impartiality (such as a wholly owned subsidiary of the certification body requesting certification from its parent), then certification shall not be provided.*

*NOTE A relationship that threatens the impartiality of the certification body can be based on ... shared resources, finances, contracts, marketing and payment of a sales commission or other inducement for the referral of new clients, etc.*

*5.2.11 The certification body shall take action to respond to any threats to its impartiality arising from the actions of other persons, bodies or organizations.*

*5.2.12 All certification body personnel, either internal or external, or committees, who could influence the certification activities, shall act impartially and shall not allow commercial, financial or other pressures to compromise impartiality.*

*5.3.2 The certification body shall evaluate its finances and sources of income and demonstrate to the committee specified in 6.2 that initially, and on an ongoing basis, commercial, financial or other pressures do not compromise its impartiality.*

### **3. EVIDENCE**

Note: copies of evidence are on file with Oxebridge, and available for review, in the event that links have changed since the filing of this complaint.

Oxebridge operates an international ISO Whistleblower Reporting system through its webpage at [www.oxebridge.com](http://www.oxebridge.com). In late April of 2020, Oxebridge obtained a report that BSI had instituted nonconformity quotas as an internal financial metric, in violation of ISO 17021-1.

Specifically, the whistleblower revealed two internal BSI emails from senior executives openly discussing the quotas, and imposing them on the entire BSI audit pool.

The first email came from Scott Neas, the Service Delivery Director for Aerospace & Core QMS, in which he attached a table showing four main criteria for the company's "2018 Client Manager Performance Measures." The four measures were "timely upload of reports, "error-free reporting, "added value reporting," and "happy customers." A screenshot of the attachment is shown here:

Objective	Nominal Target	Performance Band range			
		Does Not Meet	Sometimes Meets	Meets	Exceeds
Timely upload of reports	90% of reports uploaded ≤ 10 days of the last day of the audit/assigned reporting day.	Target achieved < 85% of the time	Target achieved ≥ 85% of the time	Target achieved ≥ 90% of the time	Target achieved ≥ 95% of the time
Error free reporting	≤ 10% technical review failure rate.	≤ 15%	≥ 10 – 15%	5 – 10 %	≤ 5%
<b>Added value reporting</b>	<b>1 NCN per audit day</b>	<b>≤ 0.5</b>	<b>0.5 – 0.9</b>	<b>&gt;0.9 – 1.1</b>	<b>&gt;1.1</b>
Happy Customers	Score ≥ 9.00 <b>and</b> Return Rate > 30% in global customer satisfaction score	Score ≤ 8.75 <b>or</b> Return Rate ≤ 25%	Score > 8.75 <b>and</b> Return Rate > 25%	Score ≥ 9.00 <b>and</b> Return Rate > 30%	Score ≥ 9.25 <b>and</b> Return Rate > 35%
	Ranking points awarded for EACH objective	0	3	10	15

For the metric of "added value reporting," the measurement goal was listed as "1 NCN per audit day." It is universally understood that the abbreviation "NCN" standards for "nonconformance note," and represents a claim that a client was not in conformity with the given management system standard. This is apart from an OFI ("opportunity for improvement") which may be a suggestion by the auditor, and which may be ignored by the client. NCNs may not be ignored, and impose financial and other costs on the client, as they require root cause analysis, correction, corrective action, and follow-up activities by the client. Failure to respond to an NCN allows BSI to withdraw or suspend the certification of the client.

The full Neas email is shown below:

**From:** Scott Neas  
**Sent:** Friday, February 23, 2018 2:29 PM  
**Subject:** FW: 02 23 2018 - 2018 Client Manager KPI

Team,  
Please see Tim's email below regarding the 2018 Client Manager Performance Measures. The attached KPI objectives will be entered into the system for you if possible, so please ignore the automated reminders you have been receiving from the system. If there are any questions on these new objectives, please let me know. The most significant new objective is 'Timely Upload of Reports' (target of <5 days from the audit).

Please also consider what your Personal Development Objective(s) will be.

Regards,

**Scott C Neas**  
Service Delivery Director,  
Aerospace & Core QMS  
C: +1 571-228-2304  
[Scott.Neas@bsigroup.com](mailto:Scott.Neas@bsigroup.com)

The Neas email then references another email by BSI's Vice President, Tim Green. In that email, Green openly discusses how the measurements were intended to "improve our... financial performance." Green also involves BSI's Head of People Development, Mike Semanchik, indicating the metrics were well-known and approved by top BSI executive management.

The Green email is shown below:

**From:** Tim Green  
**Sent:** Friday, February 23, 2018 3:09 PM  
**Subject:** 02 23 2018 - 2018 Client Manager KPI

Managers, please find the 2018 client manager performance KPIS attached. You each have seen these and provided input, so hopefully you will be able to explain any queries that you may have from your direct reports.

Mike Semanchik our regional people development manager is looking into the possibility of a mass upload of the KPIS to eliminate any inconsistencies, so at this time I do not want individual client managers entering goals if they get reminders from the system. If we cannot do a mass upload we I will let you know.

They will ultimately have just four goals listed:

1. Delivery objectives
2. Operational excellence objectives
3. Commercial awareness objectives
4. Personal development objectives (to be agreed with you, their manager)

We will be tracking their performance on a monthly basis against each of the goals and the sub goals defined in the attachment so there should not be any surprises at the end of the year. Each of the excellence objectives will be measured once per month and look at the prior 12 month performance, the final report at the end of the year will be used for the 2018 PDR.

In previous years CM PDR rankings were determined by a combination of an overall point score in the 'What' KPIS and the 'how' score in their excellence behaviors. This approach ranked everyone on an equal basis but allowed CMS who were weaker on one or more particular fields but very strong in others to achieve the same score as CMS who were solid performers across each KPI. This year's system is designed to address this issue and drive improvement actions that will enable us to improve our financial and operational performance. The methodology is quite 'scientific' but a calibration exercise will be conducted to ensure rankings are fair and take any special circumstances into account.

I will include a section on 2018 in our March 13<sup>th</sup> operations meeting.

Please cascade this information to your full time assessors.

#### 4. ALLEGATIONS

Based on the evidence, it is clear that BSI has established quotas for nonconformities to be issued by its management system auditors, and has operated this scheme for years with the full knowledge and support of its senior-most executives. This is a gross violation of ISO 17021-1, as follows:

- A. ISO 17021-1 Clause 4.2.3: The use of nonconformity quotas violates the requirement that BSI's decisions on certification be based on "*objective evidence of conformity or nonconformity,*" and "*not influenced by other interests.*"
- B. ISO 17021-1 Clause 4.2.4: The use of nonconformity quotas violates the requirement that BSI not allow its decisions to be hindered by threats to impartiality, including "*financial self-interests.*"

- C. ISO 17021-1 Clause 5.2.3: The fact that BSI's senior-most executive management was involved in the scheme to mandate nonconformity quotas violates the requirement that BSI shall not provide certification when an *"unacceptable threat to impartiality"* – defined as including *"finances"* – arises.
- D. ISO 17021-1 Clause 5.2.11: The fact that BSI's senior-most executive management was involved in the scheme to mandate nonconformity quotas violates the requirement that BSI shall *"take action to respond to any threats to its impartiality arising from the actions of other persons, bodies or organizations."*
- E. ISO 17021-1 Clause 5.2.12: The fact that BSI's senior-most executive management was involved in the scheme to mandate nonconformity quotas violates the requirement that BSI shall *"act impartially and shall not allow commercial, financial or other pressures to compromise impartiality."*
- F. ISO 17021-1 Clause 5.3.2: The fact that BSI's senior-most executive management was involved in the scheme to mandate nonconformity quotas violates the requirement that BSI shall *"evaluate its finances and sources of income and demonstrate to the committee specified in 6.2 that initially, and on an ongoing basis, commercial, financial or other pressures do not compromise its impartiality."*

Oxebridge maintains that BSI's policy represents one of the most fundamental and damaging acts taken against the ISO accreditation scheme in recent history. It invalidates every audit conducted by BSI since the policy was adopted, and calls into question every single nonconformity written under every one of those audits. The potential financial losses incurred by BSI clients in responding to potentially fraudulent nonconformities is incalculable.

Oxebridge formally requests that BSI perform a proper and thorough investigation to identify the root cause of the problem identified herein, and to take suitable and holistic corrective action. A copy of this complaint is being sent to your Accreditation Body, the IAF Regional Accreditation Group, and the IAF. The issue will be escalated to those bodies in the event that you do not properly respond, pursuant to ISO 17021-1 rules on complaints handling. Oxebridge further reserves the right to pursue this complaint through the IAQG aerospace scheme, whether through OASIS or directly with the Other Party Management Team.

Respectfully,



Christopher Paris  
VP Operations