



A4.0 NON-DISCRIMINATION POLICY

A4.1 Purpose

The purpose of this policy is to ensure that the Kenya Flower Council (KFC) Certification Body conducts all certification activities in a fair, transparent, impartial, and non-discriminatory manner in accordance with the requirements of ISO/IEC 17065:2012 and applicable certification scheme requirements.

The Certification Body is committed to providing equal access to certification services and ensuring that all applicants, producers, producer groups, and certified clients are treated consistently throughout the certification process.

A4.2 Scope

This policy applies to all certification activities undertaken by the KFC Certification Body, including:

- Application review and acceptance;
- Audit planning and execution;
- Evaluation and review of audit findings;
- Nonconformity management;
- Certification decisions;
- Surveillance and recertification activities;
- Certificate issuance;
- Certificate extension decisions;
- Suspension, withdrawal, reduction, and reinstatement of certification;
- Complaints and appeals handling.

A4.3 Policy Statement

The KFC Certification Body shall provide certification services without discrimination and shall ensure that access to certification is available to all eligible applicants whose activities fall within the scope of certification offered by the Certification Body.

Certification decisions shall be based solely on objective evidence, compliance with certification requirements, and applicable certification scheme rules.

The Certification Body shall not use procedures, policies, requirements, financial conditions, or practices that unfairly limit or inhibit access to certification.

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A4.4 Non-Discriminatory Principles

4.4.1 Equal Access to Certification

Certification services shall be available to all eligible applicants regardless of:

- Size of organization or producer group;
- Number of workers or members;
- Ownership structure;
- Legal status;
- Geographic location;
- Nationality;
- Gender;
- Race;
- Ethnic origin;
- Religion;
- Political affiliation;
- Disability;
- Membership in any association;
- Commercial importance to the Certification Body.

4.4.2 No Preferential Treatment

The Certification Body shall not provide preferential treatment to:

- Existing certified clients;
- Large organizations;
- Smallholder producers;
- Producer groups;
- Related organizations;
- Affiliated organizations;
- Clients generating significant revenue;
- Clients with long-standing relationships with the Certification Body.

All certification activities shall be conducted using the same documented procedures and certification criteria.

4.4.3 No Undue Financial Barriers

Certification fees shall be determined using documented fee schedules and certification requirements.

Fees shall be applied consistently to applicants and certified clients under similar circumstances.

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The Certification Body shall not impose unreasonable financial conditions that restrict access to certification.

4.4.4 Consistent Application of Certification Requirements

All certification requirements, audit processes, evaluation criteria, certification decisions, sanctions, suspensions, withdrawals, and reinstatements shall be applied consistently to all applicants and certified clients.

Decisions shall be based solely on objective evidence and compliance with certification requirements.

4.4.5 Competence-Based Assignment of Personnel

Auditors, reviewers, evaluators, technical experts, and certification decision makers shall be assigned based solely on:

- Competence;
- Qualifications;
- Experience;
- Availability;
- Impartiality requirements.

Assignments shall not be influenced by commercial, personal, or other non-objective considerations.

4.4.6 Transfer from Other Certification Bodies

Applications shall not be refused solely because an applicant was previously certified by another certification body or wishes to transfer certification from another certification body.

4.4.7 Non-Discriminatory Management of Nonconformities

The Certification Body shall apply the same requirements and timelines for the closure of nonconformities to all producers and producer groups.

All nonconformities identified during an audit shall be corrected and corrective actions implemented and submitted to the Certification Body within twenty-eight (28) calendar days from the last day of the audit unless otherwise specified by the applicable certification scheme requirements.

The Certification Body shall:

- Communicate nonconformities and closure requirements consistently;
- Evaluate corrective action responses using documented criteria;
- Apply the same level of scrutiny and verification to all clients;

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- Maintain records of all corrective action reviews and closure decisions.

Failure to adequately address nonconformities within the required timeframe may result in certification sanctions, suspension, withdrawal, or other certification decisions in accordance with applicable procedures.

The Certification Body shall not grant additional time for closure of nonconformities based on:

- Client size;
- Commercial importance;
- Existing relationships;
- Membership status;
- Financial considerations;
- Personal influence.

Where exceptional circumstances justify consideration of an extension, such circumstances shall be documented, objectively evaluated, approved by authorized personnel, and applied consistently to all clients facing comparable situations.

Examples of exceptional circumstances may include:

- Natural disasters;
- Security incidents;
- Government restrictions;
- Public health emergencies;
- Force majeure events;
- Other documented circumstances beyond the control of the client.

4.4.8 Non-Discriminatory Certificate Validity Extensions

The Certification Body recognizes that exceptional circumstances may occasionally prevent an audit from being completed before certificate expiry.

In such cases, a certificate validity extension may be considered provided that:

- The circumstances preventing the audit are documented;
- The reasons are beyond the reasonable control of the Certification Body and/or certified client;
- Risks associated with continued certification are evaluated;
- Approval is granted by authorized personnel;
- Applicable accreditation and certification scheme requirements are met.

Examples may include:

- Natural disasters;
- Civil unrest or insecurity;

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- Government restrictions;
- Public health emergencies;
- Extreme weather events;
- Travel restrictions;
- Force majeure events;
- Delayed site accessibility.

The Certification Body shall not grant certificate validity extensions based on:

- Commercial pressure;
- Client importance;
- Revenue considerations;
- Personal relationships;
- Requests unsupported by objective evidence.

Any extension granted shall:

- Be documented and justified;
- Specify the period of extension;
- Include any conditions imposed by the Certification Body;
- Be applied consistently to all clients under similar circumstances.

A4.5. Circumstances Under Which Certification May Be Refused

Certification may be refused where:

- a) The requested scope falls outside the Certification Body's competence or accreditation scope;
- b) The applicant fails to meet certification requirements;
- c) The applicant refuses to provide information necessary for certification activities;
- d) The applicant prevents the Certification Body from conducting required evaluations;
- e) Fraudulent, illegal, or unethical activities compromise certification integrity;
- f) Conflicts of interest cannot be effectively managed.

All refusals shall be documented and communicated to the applicant together with information regarding the appeals process.

A4.6. Impartiality and Independence

The Certification Body shall identify, analyze, evaluate, treat, monitor, and document risks to impartiality arising from its activities, relationships, personnel, and external influences.

Certification decisions shall be made independently by competent personnel who have not participated in the audit or evaluation activities being reviewed.

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The Certification Body shall not provide consultancy services relating to certification requirements for schemes under which it operates certification activities.

A4.7. Complaints and Appeals

Any applicant, producer, producer group, certified client, or interested party who believes they have been subjected to discriminatory treatment may submit a complaint or appeal in accordance with the Certification Body's Complaints and Appeals Procedure.

All complaints and appeals shall:

- Be handled impartially;
- Be investigated objectively;
- Be resolved without discrimination;
- Be documented and retained as records.

No applicant or certified client shall be disadvantaged for submitting a complaint or appeal.

A4.8. Responsibilities

Certification Manager

The Certification Manager shall:

- Ensure implementation of this policy;
- Monitor compliance;
- Ensure personnel awareness and training;
- Review complaints relating to discrimination;
- Ensure consistent implementation of certification requirements.

Certification Personnel

Certification personnel (auditors and the certification committee members) shall:

- Apply certification requirements consistently;
- Avoid discriminatory practices;
- Maintain impartiality;
- Declare potential conflicts of interest.

Certification (Impartiality) Committee

The Certification Committee shall:

- Monitor implementation of this policy;
- Review risks to impartiality and discrimination;
- Recommend improvements where necessary.

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A4.9. Monitoring and Review

Compliance with this policy shall be monitored through:

- Internal audits;
- Management reviews;
- Complaints and appeals analysis;
- Impartiality Committee reviews;
- Accreditation assessments;
- Corrective action reviews.

Corrective actions shall be implemented where nonconformities or risks are identified.

A4.10. Publication

This policy shall be publicly available to applicant producers and producer groups, certified producers, personnel, and interested parties through the Kenya Flower Council website and upon request.

A4.11. Principle of Equal Treatment

The Certification Body shall ensure that all certification decisions are based solely on objective evidence and documented certification requirements.

Similar situations shall receive similar treatment.

Any deviation from standard certification requirements, including extensions for nonconformity closure or certificate validity, shall be objectively justified, documented, approved, and consistently applied to all clients facing comparable circumstances.

The Certification Body shall maintain records demonstrating that all such decisions are fair, impartial, transparent, and non-discriminatory.

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