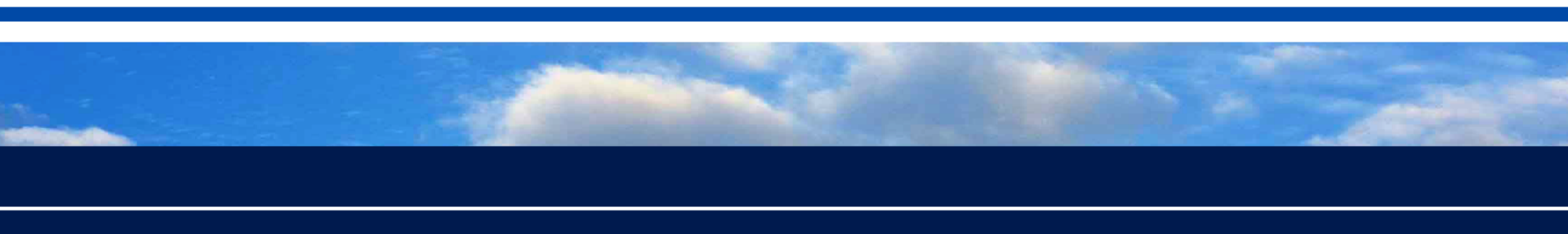


## **AVR 2020**

# **issue on non-conformities and non-compliance**

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## Introduction to the issue

- In the AVR non-conformities and non-compliances are treated in a different manner
- This could lead to differences in the follow-up that is given to issues identified by verifiers
- Guidance material not always entirely consistent with AVR
- Solution: no distinction between non-conformity and non-compliance

## Non-conformities and non-compliances in AVR/MRR

AVR/MRR	Non-conformity	Non-compliance
request correction	✓	
impact on materiality	✓	
include in VR	✓	✓
describe size and nature in VR	✓	
submit improvement report	✓	

## Non-conformities and non-compliances in Guidance

VR-template/ FAQ on classification	Non-conformity	Non-compliance
request correction	✓	✓
impact on materiality	✓	✓
include in VR	✓	✓
describe size and nature in VR	✓	✓
submit improvement report	✓	

## Analysis

- AVR: non-conformities and non-compliances should be treated differently.
- Reason: the distinct roles and responsibilities of the CA and the verifier should be clear in the AVR (recital 9 AVR):
  - CA checks whether mp is in line with the MRR
  - verifier takes the approved mp as a starting point
  - verifier not required to do a full blown check against the MRR
- Is this a justification for the differences in follow-up?
- In practice there is thin line between non-conformities and non-compliances (FAQ on classifications)
- Underpinned by the interpretation in the VR template and FAQ

## No distinction between non-conformities and non-compliances

Pros	Cons
Consistent approach towards non-conformities and non-compliances	It is not up to the verifier to ask for correction of a non-compliance. This is a CA-responsibility
Follow-up no longer dependent on classification by verifier	
Simplification of AVR	
Improvement report also required in case of non-compliance	

## For discussion

- What is your opinion: do the different roles of the CA and the verifier justify the different treatment of non-conformities and non-compliances in the AVR/MRR?
- In which cases would there be a problem if the verifier requests correction of a non-compliance that has been approved by the CA in the monitoring plan?
- Do you envisage other disadvantages of treating non-conformities and non-compliances in the same way?
- What are your views on amending the AVR so that the same follow-up actions apply to non-conformities and non-compliances?
  - Add 'non-compliance' to the relevant articles of the AVR and MRR
  - Or
  - Make 'non-compliance' a type of non-conformity?