

Guidance note for LME ISO 14001 and OHSAS 18001 / ISO 45001 compliance: Equivalence and auditing for LME-listed brands

1. BACKGROUND

The LME Policy on Responsible Sourcing of LME-Listed Brands (the “LME Responsible Sourcing Policy”) requires that producers of LME-listed Brands (“Brands”) ensure that their brands shall each be certified as compliant with:

- (a) ISO 14001 and OHSAS 18001 / ISO 45001; or
- (b) equivalent certification programme(s),

in respect of the production methods applied at the facility at which the brand is produced¹.

This document outlines:

- i) Key definitions
- ii) The LME’s position on the migration of OHSAS 18001 to ISO 45001
- iii) The routes to achieving compliance with ISO, OHSAS and / or equivalent certification programmes
- iv) The auditors / assessors which may be used in conducting ISO and equivalence assessments

2. DEFINITIONS

- **Equivalent Certification Programme** – means a certification programme that has been deemed objectively by the LME to be equivalent to or an improvement upon, the ISO 14001 and OHSAS 18001 / ISO 45001 certifications as described in the LME Responsible Sourcing Policy
- **ISO 14001** – means the international standard prescribed by the International Organization for Standardization that specifies the framework requirements for an effective environmental management system. All references to ISO 14001 in this document are to the latest version – ISO 14001: 2015
- **ISO 45001** – means the international standard prescribed by the International Organization for Standardization that specifies the framework requirements to improve employee safety, reduce workplace risks and create better, safer working conditions, all over the world. All references to ISO 45001 in this document are to the latest version – ISO 45001: 2019
- **OHSAS 18001** – is a British Standard framework for an occupational health and safety management system (officially known as BS OHSAS 18001)

3. CAPITALISED TERMS

Capitalised terms not otherwise defined in this guidance note shall have the meanings ascribed to them in the LME Responsible Sourcing Policy.

4. OHSAS 18001 MIGRATION TO ISO 45001

ISO 45001’s replacement of OHSAS 18001 was published on 12 March 2018, and ISO specified a three year migration period ending on 11 March 2021.

ISO has specified that OHSAS 18001 certification will only be recognised until the end of the migration period. As such, Brands that have not obtained an OHSAS 18001 certification by end of the ISO migration period (11 March 2021) will be expected to be certified on ISO 45001 by the LME’s deadline of 31 December 2023.

Brands that have been certified using OHSAS 18001 will be able to submit this certification on the condition that: (i) the 18001 certification was achieved before the migration period end date, and (ii) the certificate has not yet expired. Any subsequent renewals should be conducted using ISO 45001.

¹ For full details, Brands should refer to Section 3 of the LME Responsible Sourcing Policy

Any brands using an equivalent standard will be expected to assess equivalence of such standard against ISO 45001, using the process outlined below.

5. ROUTES TO COMPLIANCE

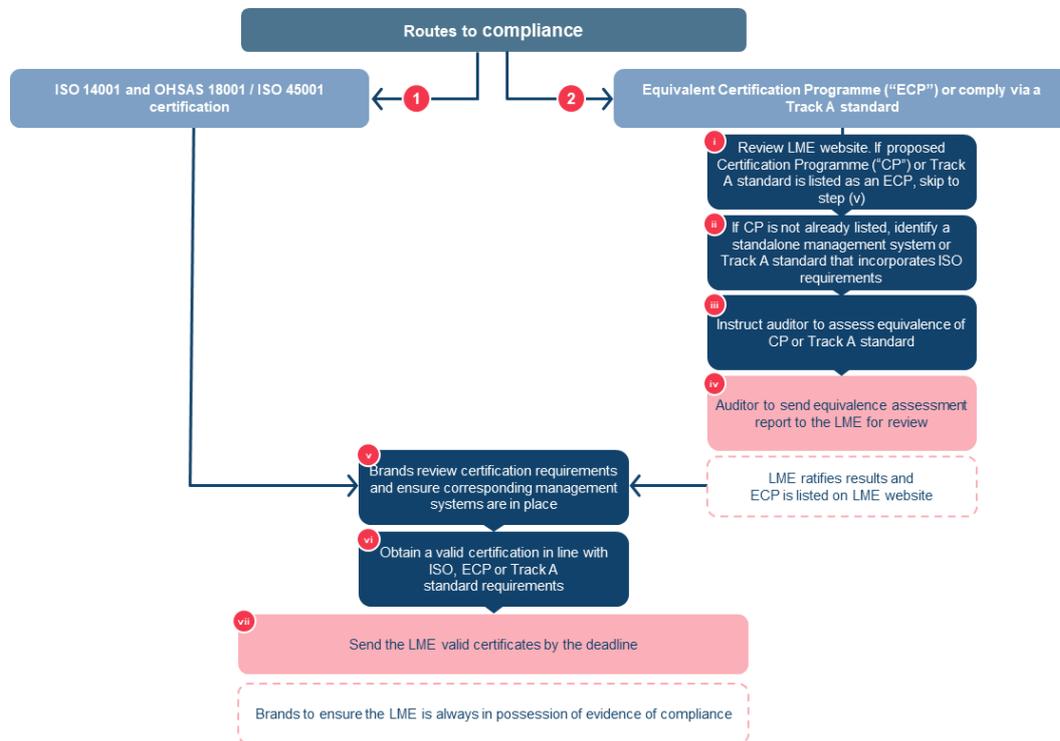


Figure 1 – Compliance flowchart

There are two options for Brands to meet their LME environmental and occupational health management certification compliance, as summarised in Figure 1:

- i) Obtain and maintain ISO 14001 and OHSAS 18001 / ISO 45001 certification and ensure that the LME is at all times in receipt of a unexpired, valid copy of each certification
- ii) Obtain and maintain certification from an Equivalent Certification Programme. This can be through: (a) a standalone (internal or external) management system (or systems) that incorporate(s) ISO requirements or similar², or (b) a Track A standard that has been assessed as incorporating all the ISO requirements. For both (a) and (b), an initial “equivalence assessment”³, conducted by an independent auditor⁴ will be required to establish that the certification programme covers all the ISO requirements⁵. Brand compliance will then need to be evidenced to the LME for (a) by provision of certification, and for (b) by compliance with the Track A standard

Option 1 – Obtain and maintain ISO 14001 and OHSAS 18001 / ISO 45001 certification

The process for Brands wishing to comply via direct ISO / OHSAS certification is as follows:

² Please note, that should national, regional or international regulatory requirements also reflect certification equivalence (and be subject to an appropriate audit), the LME will also accept this as a route to equivalence

³ This is a one-off assessment, unless the equivalent certification programme undergoes material revision, in which case the equivalence assessment will need to be reconfirmed

⁴ An auditor/ assessor that meets the LME’s requirements as set out in the LME Audit Company application and the LME Lead Auditor application

⁵ Please note, equivalence assessment can also be commissioned by a Track A standard independently

1. Review ISO 14001 and OHSAS 18001 / ISO 45001 certification requirements – these can be accessed via the ISO website
2. Undertake and ensure corresponding management systems are in place that will enable the Brand to obtain the requisite certification in accordance with the LME Responsible Sourcing Policy – the scope of certifications should be appropriate and relevant to the production methods (being the smelting or equivalent step, in all cases being the final substantive step resulting in the production of LME grade metal) applied at the facility or facilities at which the Brand is produced
3. Obtain a valid certification in line with ISO and OHSAS requirements
4. Send to the LME valid certificates by the LME certification deadline⁶ – scanned copies of certificates sent to the LME via email will be accepted
5. Brands are expected to ensure that the LME is at all times in receipt of an unexpired, valid copy of each certification – Brands should also notify the LME should there be any change to certification status

Option 2 – Steps to obtain and maintain certification from an equivalent certification programme (“ECP”) or comply via a Track A standard which incorporates equivalent requirements

1. Brand reviews the LME website for certification programmes and Track A standards confirmed by the LME as equivalent (if the Brand’s intended ECP is listed then move directly to step 6, if not continue to next step (step 2))
2. Brand identifies an alternative CP that it wishes to use for compliance. For both (a) – a standalone (internal or external) management system (or systems) that incorporate(s) ISO requirements or similar – and for (b) – a Track A standard that has been assessed as incorporating all the ISO requirements – an initial “equivalence assessment”⁷, conducted by an independent auditor⁸ will be required to establish that the certification programme or Track A standard covers all the ISO requirements directly (or as will be the case in some Track A standards, through other elements of their assurance system)
3. Brand retains an appropriate auditor (in line with the LME’s auditor requirements as set out in the LME Audit Company application and the LME Lead Auditor application) and, with the permission of the certification programme owner if relevant, instructs the auditor to assess whether the certification programme or Track A standard is equivalent by undertaking an equivalence assessment. This is a one-off assessment to ensure equivalence/parity of standards and will only need to be re-assessed in the event of material changes to the equivalent certification programme
4. Auditor sends equivalence assessment report to the LME for review
5. LME reviews the report, ratifies the equivalence, and the ECP can be listed on the LME website. Where the Brand is not the owner of the ECP, the Brand must provide the LME with evidence, acceptable to the LME (whether in the form of a letter or otherwise) that the owner agrees to publication on the website
6. Brand ensures the corresponding management systems are in place that will enable the Brand to obtain equivalent certification
7. Brand will: (a) obtain valid certificates in line with the ECP’s requirements, or for (b) comply with chosen Track A standard and requirements
8. Brand sends to the LME valid certificates by LME certification deadline – scanned copies of certificates emailed to the LME will be accepted. If using a Track A standard, the Brand should meet the requirements for Track A and submit to the LME in line with that process.
9. Brands are expected to ensure that the LME is at all times in receipt of a unexpired, valid copy of each such certification or Track A compliance

⁶ The first certification deadline being 31 December 2023

⁷ This is a one-off assessment, unless the equivalent certification programme undergoes material revision in which case the equivalence assessment will need to be reconfirmed

⁸ An auditor / assessor that adheres to the LME’s requirements as set out in the LME Audit Company application and the LME Lead Auditor application

6. DETERMINATION OF APPROPRIATE AUDITORS FOR ISO CERTIFICATION EQUIVALENCE ASSESSMENTS AND COMPLIANCE WITH EQUIVALENT CERTIFICATION PROGRAMMES

Dependent on the route to compliance chosen, the following independent audits may need to be used by Brands in order to demonstrate compliance with the LME Responsible Sourcing Policy:

- (a) Audit of Brand to ISO 14001 and ISO 18001 certification
- (b) Equivalence assessment of a certification programme or Track A standard to ISO
- (c) Audit of Brand to Equivalent Certification Programme or Track A standard

A. Auditor assessment of ISO 14001 and ISO 18001 certification

ISO develops and maintains ISO standards but does not maintain lists of approved auditors or audit companies capable of assessing these standards. Auditor accreditations are issued independently of ISO by various national and international ISO member auditor certification bodies that operate globally. Certification bodies have lists of approved auditors, but there is no single global database for all qualified auditors.

The LME will recognise auditors accredited by ISO member certification bodies and the LME will publish a link⁹ on its website that will allow Brands to check these member certification bodies. This gives Brands the opportunity to choose qualified auditors from a variety of bodies in various locations.

B. Auditor to conduct equivalence assessment (of a certification programme or Track A standard to ISO)

The process for retaining an auditor capable of conducting a recognised equivalence assessment:

1. Brand reviews the list provided by ISO, or the approved auditor list on the LME's website, to determine the auditor most appropriate for the Brand's location – link for ISO also shown in footnote 8
2. Brand retains and instructs the ISO member's or LME accredited auditor to assess certification programme equivalence or a Track A standard's equivalence

C. Process for retaining an auditor for assessment of Brand compliance to Equivalent Certification Programme or Track A standard

The LME will accept auditors accredited by ISO member certification bodies or on the LME's approved auditor list to assess a Brand's compliance with an ECP. For assessment against a Brand's chosen Track A standard's requirements, the LME will accept the named auditors approved by the relevant standard.

⁹ Also can be found at <https://www.iso.org/members.html>