



**ACCREDITATION COMMISSION FOR CONFORMITY ASSESSMENT BODIES**  
**ACCREDITATION SCHEME MANUAL**

**Document Title:                      Complaints & Appeals Procedure**

**Document Number:                  ACCAB-ASM-12.0**

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<b>Revision Number</b>	<b>Revision Date</b>	<b>Paragraph Number</b>	<b>Description of Revision</b>	<b>Revision Author</b>

<b>12.1</b>	<b>Purpose:</b>
12.1.1	The purpose of this procedure is to define how Complaints, Appeals and Disputes (CAD) directed towards ACCAB and handled and to derive maximum benefit from any such complaints, appeals and disputes by instituting or requiring corrective action and quality improvement where necessary.
<b>12.1.2</b>	<b>Definitions:</b>
12.1.2.1	Complaint: An expression of dissatisfaction other than an appeal, by any person or organization, to ACCAB, relating to the activities of ACCAB or of an accredited CAB, where response is expected.
12.1.2.2	Appeal: Request by a CAB for re-consideration of any adverse decision made by the ACCAB related to its desired status.
<b>12.2</b>	<b>Scope:</b>
12.2.1	Complaints Type A: - received by ACCAB from Accredited and Applicant CAB regarding audit, surveillance, reporting or any other client service provided by ACCAB.
12.2.2	Complaints Type B: - received by ACCAB from any organizations or other interested parties regarding the performance of ACCAB Accredited CAB. The example of the types of complaints against: <ul style="list-style-type: none"> <li>a. misuse of ACCAB Mark;</li> <li>b. complaint related to conformity assessment related activities;</li> <li>c. failure to properly respond to a complaint or appeal previously filed.</li> </ul>
12.2.3	Appeal: - by a CAB for re-consideration of any adverse decision made by the ACCAB related to its desired status including those that lead to accreditation withdrawal or an accreditation not being granted.
<b>12.3</b>	<b>Responsibility &amp; Authority:</b>
12.3.1	The Chief Executive Officer (CEO) shall ensure that all complaints are attended and action is taken and appeals and disputes are promptly forwarded to the Board of Directors and the Appeal & Dispute Committee (ADC) takes action on the recommendation, judgment, and redressal.
12.3.2	The Board of Directors is responsible for constitution of the ADC.
12.3.3	The chairman of the ADC shall ensure that the AD committee meeting is held for the redressal of the appeals and disputes forwarded to them.
<b>12.4</b>	<b>Operation:</b>
<b>12.4.1</b>	<b>Submission of complaints:</b>
12.4.1.1	Complaints Type A should be sent directly to ACCAB.

12.4.1.2	Complaints Type B should be raised first with the CAB in question, and if they are not satisfactorily addressed, then raised directly with ACCAB.
12.4.2	Submission & Registration of the Complaint, Appeal and Dispute (CAD):
12.4.2.1	ACCAB shall only accept CAD in English.
12.4.2.2	CAD must be submitted to ACCAB in writing. ACCAB shall not accept verbal CAD.
12.4.2.3	All CAD must be addressed/mailed/ couriered/faxed/ emailed, to: The Chief Executive Officer ACCAB Suite # 114, Level 1, Master Mind IV, Royal Palms, Aarey Milk Colony, Goregaon East, Mumbai - 400 065. India. Tel/Fax: 91-22-28794410, 28794411, and 28794412 E-Mail: admin@accab.org
12.4.2.4	All CAD must be submitted on a confidential basis to protect the anonymity of the interested party, but must include contact information in order to enable follow-up and reporting. The CAD shall include objective and material evidence that might include significant testimony and documented inference.
12.4.2.5	ACCAB and each accredited body by ACCAB shall have in place documented procedures to review complaints, appeals & disputes and to initiate appropriate actions to resolve them, including audits- at Accredited CAB or Certified Organization at CAB's expense, if required.
12.4.2.6	ACCAB requires that all accredited CABs under ACCAB regime keep records of complaints, appeals & disputes and its responses/report on corrective actions for a minimum ten years.
12.4.2.7	No form or format for a CAD is required. However, the complainant may request from ACCAB form CAD-F-01 and forward it to the CEO by post mail, e-mail or by fax. The complaint may use the electronic form provided at ACCAB website <a href="http://www.accab.org">www.accab.org</a>
12.4.2.8	If the complaint is against the CEO of ACCAB then ACCAB Board of the Directors shall initiate the procedure.
12.4.2.9	If allegations against ACCAB accredited CAB or a Certified Organization by an ACCAB accredited CAB is proved and if agreed corrective and preventive actions therein are not taken, then ACCAB Board shall ensure the suspension/withdrawal of the accreditation certification in question.
12.4.2.10	All the CADs with ACCAB should be received by ACCAB within three (3) months of the event that caused CAD.
12.4.2.11	The CEO shall separate the CADs dealing with the accreditation matters and those in the other domains.
12.4.2.12	The CAD dealing with accreditation matter shall be recorded CAD form CAD-F-01 by the Divisional Head and shall be investigated by the CEO within 14 days of receipt.

12.4.2.13	After registration of the complaint with the CEO, a CAD dealing with the other domains shall be passed on to the relevant parties/authorities for redressal.
12.4.2.14	The CEO shall ensure that the CAD is investigated in such a manner as to obtain all facts relevant to the CAD.
12.4.2.15	The CEO shall liaise with the complainant regarding the status of CAD every six weeks until such time the complaint has been resolved.
12.4.2.16	The concerned Divisional head may, on conclusion of their investigation, make a recommendation to the CEO as to the final resolution of the CAD.
12.4.2.17	The CEO shall notify the complainant of the decision within eight weeks of the conclusion of the investigation.
12.4.2.18	If a complaint is not resolved to the satisfaction of the complainant, he/she may request that the complaint become a dispute and or/appeal. The appeal or dispute shall be recorded on CAD-F-01.
12.4.2.19	Disputes and appeals shall be referred to the CEO to table it in the next meeting of ACCAB Board of Directors. The ACCAB Board of Directors shall constitute an AD Committee and issue an instruction to the AD Committee to handle the dispute/appeal in accordance with the steps as given in this document.
<b>12.4.3</b>	<b>Actions on receipt of a late CAD:</b>
12.4.3.1	CADs received after the stipulated periods are to be referred to the CEO who shall decide whether it shall be allowed to proceed further or not. If it is decided that a CAD should not proceed, then it shall be brought to the attention of the ACCAB Board of Directors at the time of next meeting. ACCAB shall notify each complainant of the receipt of the late CAD within 20 days of receipt.
12.4.3.2	Should the CEO decide that action shall not be taken on a late CAD then the complainant shall be notified of this decision and the reason for not taking action on the complaint, within four (4) weeks of the date of receipt of the CAD
12.4.3.3	Should the CEO fail to respond to a late CAD within stipulated period then it is to be referred to the Appeal & Dispute Committee.
<b>12.4.4</b>	<b>Composition of the Appeal &amp; Dispute Committee:</b>
12.4.4.1	The Appeal & Dispute Committee (ADC) is to consist of three (3) members, one of whom shall act as a Chairperson.
12.4.4.2	The Chairperson and the members (and substitutes) shall be appointed by the ACCAB Board of Directors.
12.4.4.3	Each member of the ADC shall be independent of all parties involved in the Complaint, Appeal & Dispute.

12.4.4.4	At least one member of the ADC shall have a recognized legal qualification and general knowledge of accreditation/conformity assessment practice. At least two members shall have an in-depth knowledge of subject under dispute and accreditation/conformity assessment or where relevant compliance and regulatory requirements. The ADC may be constituted of only two members, provided one is familiar with accreditation/ conformity assessment certification practices and has an in-depth knowledge of the subject under dispute.
12.4.4.5	Members of the ADC are appointed on an ad-hoc basis. They are eligible for re-appointment.
12.4.4.6	Should any members of the ADC be unable to act impartially due to an interest in the complainant he/she shall withdraw from the ADC for the duration of the case, his/her position is to be taken by an alternate member.
<b>12.4.5</b>	<b>Convening of the Appeal &amp; Dispute Committee:</b>
12.4.5.1	On receipt of the instructions from the Board of Directors, the Chairperson of the ADC shall contact other ADC members and arrange a time and date of the hearing.
12.4.5.2	The time and date of the hearing shall be communicated to the CEO of ACCAB who in turn is to inform the complainant.
12.4.5.3	The date of the hearing shall be at least fourteen (14) days, but within forty-five (45) days, after the complainant has received the notification of the hearing.
12.4.5.4	Both the ACCAB and the complainant have right to attend the hearing and can also be represented by legal counsel if desired. The intention to have legal counsel must be communicated to the ADC and the other party at least one (1) week prior to the hearing. Failure to notify may result in a postponement of the hearing. All costs associated with a postponement shall be allocated by the ADC.
12.4.5.5	Both parties in the appeal/dispute may call witness as required, provided that the names and addresses have been supplied to the ADC at least five (5) days before the hearing. The name and details of the witnesses shall be communicated to both the parties in the appeal. The ADC shall make final decision on witnesses and numbers.
12.4.5.6	Members of AD Committee shall not disclose either all or part of the proceedings to a third party.
12.4.5.7	The AD Committee shall sit as many sessions as deemed necessary in order for them to reach a sound judgment.
<b>12.4.6</b>	<b>The Judgment:</b>
12.4.6.1	The Memorandum and Article of Association, Quality Manual, Rules and Regulations of ACCAB bind the AD Committee in their judgment.
12.4.6.2	The ADC shall decide on its judgment by a majority votes. In case where the committees constituted with two members, the decision shall be unanimous. Failure to do so shall allow the chairman to cast a vote.

12.4.6.3	The AD Committee shall inform the CEO of ACCAB of its judgment (in writing) within fourteen (14) days of receiving it.
12.4.6.4	The decision of the AD Committee shall be entered into the CAD Form CAD-F-01.
12.4.6.5	The AD Committee shall decide on the costs of the hearing and which of the parties responsible for the payment of these costs.
12.4.6.6	The decision of Appeal & Dispute Committee is final and is not open to any further appeal.
<b>12.4.7</b>	<b>Complaints, Appeals and Disputes in the Regulatory Domain:</b>
12.4.7.1	CADs dealing with the regulatory approval matters shall be discussed only with the CEO who shall forward it to the relevant Regulatory Body's contact person within 14 days of receipt.
12.4.7.2	The CEO shall inform the complainant in writing of the steps taken with copy kept and filled with the concern Divisional Head.
12.4.7.3	Should the regulatory body require ACCAB involvement, to address the CAD, it shall be handled on a case-to-case basis with the approval of ACCAB Board.
<b>12.4.8</b>	<b>CADs involving both Accreditation Compliance Monitoring and Regulatory Domain:</b>
12.4.8.1	CADs dealing with regulatory approval matters as well as Accreditation Compliance monitoring matters shall be entered into CAD Form CAD-F-01.
12.4.8.2	The CAD shall be taken up by the CEO who shall arrange a meeting with relevant regulatory Body's contact person within 14 days of receipt, to determine the way forward.
12.4.8.3	The CEO shall inform the complainant in writing of the steps taken with a copy kept and filled by the concern Divisional Head.
12.4.8.4	The extent of ACCAB involvement to address the CAD shall be handled on a case-to-case basis with the approval of the Board.
12.4.8.5	The CEO shall notify the complainant of the status of the CAD every six weeks until such time the complaint has been resolved.
<b>12.4.9</b>	<b>Reporting of CADs to the Board of Directors:</b>
12.4.9.1	The CEO shall report on the progress of and action taken for each CAD during the Schedule Board Meeting and or Management Review Meeting.