

QP-07

COMPLAINTS AND APPEALS

1. OBJECTIVE

This document is intended to establish the procedures describing the processing steps for:

- Calls made by stakeholders against a certification decision by XDS.
- Complaints.

It also describes related responsibilities.

2. SCOPE

This procedure is applicable to all stakeholders having made an appeal or against a decision of XDS, regarding certification. An appeal can also be raised by a Customer if they are not satisfied with the certification decision taken by XDS following the review of their application. Appeals should be received in writing.

For complaints, it applies to:

- Clients having made complaints against XDS that involves the certification process or honesty and competence of the XDS employees.
- Customers of the beneficiaries of certificates of conformity which contest the quality of the product certified by XDS.

3. RESPONSIBILITIES

The CD is responsible for confirming a valid appeal, appointing CAC, and approving the decision/recommendation(s) of the appeals and complaints.

The Quality Manager is responsible for managing the process and assigning investigator(s) for the valid complaints.

Any internal personnel is responsible for recording the details of complaint(s) received and forwarding the relevant information to the Quality Manager.

The Complaints and Appeals Committee (CAC) is responsible for investigating a valid appeal and making up a decision and/or recommendation(s) for the CD.

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4. WORK PROCEDURES

4.1 Handling and Resolution of Complaints

4.1.1 A complaint is a registered observation (negative), received at XDS that concerns the certification process or honesty and competence of the staff.

- The non-acceptance of the laboratory proposed by XDS can be considered as a complaint.
- The complaint must be made within 15 days following the events having generated.
- It can also affect the compliance or integrity of a client of XDS.

4.1.2 All customer complaints are to be brought to the attention of the Line Manager without delay.

4.1.3 All customer complaints will be:

- a. Entered on the Complaints section of the **QP07-FRM-01 Customer Complaints and Appeals Log**. The recipient of a customer complaint is responsible for documenting the nature of the complaint. Complaints received shall be validated by the Line Manager. The result of validation whether the complaint received is deemed valid or not valid should be clearly reflected in the log.
- b. Valid complaints shall be acknowledged **within 3 working days** upon receipt of the complaint. For complaints that are deemed not valid, the Line Manager or designate should explain in via email to the complainant why the complaint is deemed not valid which should be arranged **within 3 working days**.
- c. It is important that all columns of the Log are completed. Root cause analysis shall be carried out by the Line Manager to determine the real cause of the issue. This would include investigation of concerned personnel handling the file or personnel directly involved in the complaint. Investigation shall be carried out by personnel who are not involved in the file in order to establish impartiality in resolving the complaint. With regards to financial or any other compensation given to the complainant as a direct result of the complaint, this information shall also be recorded in the log. This includes such compensation as waiving of future fees for certifications.
- d. All complaints shall be resolved in a timely manner, in agreement between XDS and the complainant. The timeline for resolving a complaint would vary and this shall be discussed and agreed between both parties.
- e. The action to be taken in resolving the complaint shall be determined by the Line Manager. Following the root cause analysis, immediate action/correction should be

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applied as “damage control” mechanism. Once the issue is mitigated, Line Manager shall apply suitable corrective action to prevent recurrence of such complaints. Depending on the nature and circumstances surrounding the complaint, the Quality Manager may initiate a Corrective Action Request as per QP-11 Corrective and Preventive Actions.

- f. Line Manager(s) are responsible for taking decisions on complaints received in consultation with the CD as deemed necessary. The final resolution of the complaint shall be communicated in writing to the Complainant by the Line Manager or designate and evidence of which shall be recorded in the log. Evaluation of effectiveness of corrective action done to resolve a complaint should be also be recorded in the log.

4.2 Handling of Resolution of Claims

4.2.1 In the case of complaints which may be expected to result in claims, no opinion of any sort is to be made in writing, internally or externally, which would be detrimental to the proper defence of the claim. This includes admissions of liability. Details of the claim should be entered in the Claims section of the Customer Complaints and Appeals Log and the CD and MD should be notified of the potential claim.

4.2.2 The Line Manager will investigate the claim and respond to the complainant advising either (a) the result of the investigation, or (b) that further investigation is required.

4.3 Handling of Resolution of Appeals

4.3.1 In the event that the complainant is not satisfied with the response received from the XDS, they have the right to make an appeal to the CD. An appeal can also be raised by a Customer if they are not satisfied with the inspection and/or certification decision taken by the XDS office following the review of their application. The Appellant/Customer should be advised of this right by the Line Manager in writing.

4.3.2 The Appellant shall write to the CD and elaborate on the details of their appeal.

4.3.3 Upon receipt of the appeal, the CD shall acknowledge this in writing to the Appellant via email.

4.3.4 The CD shall discuss the appeal with the concerned Line Manager for further investigation.

4.3.5 Upon receipt of notification of an appeal from the Line Manager, the Quality Manager shall record the details of the appeal in the Appeals section of the Customer Complaints and Appeals Log. The Line Manager or designate shall collate all relevant information surrounding the appeal, including the details of who had investigated this, and these shall be

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provided to the CD who will then share this with the Complaints and Appeals Committee (CAC).

4.4 Constitution of Complaints and Appeals Committee (CAC)

4.4.1 The CD appoints at least two members to form a CAC, within next working day following the admission of the appeal.

The CAC, to ensure impartiality and objectivity, is composed of:

- the Quality Manager, who is in charge of coordinating the investigation
- person(s) from “Certification Review and Decision-Maker Team” but different from those which made the review and/or decision for the same file. (The aim is to ensure the appeal decision(s) made by the independent CAC.)
- exceptionally, the Quality Manager, may select a person not belonging to XDS (but having no lower skills than the “Certification Review and Decision-Maker Team”) whose appointment must be confirmed and approved by CD.

4.4.2 The CD must verify that there is no conflict of interest. He must especially verify that personnel who have provided consultancy for a client (previously), or been employed by a client (previously), is not used to review or approve the resolution of an appeal for that client (within two years following the end of the consultancy or employment).

4.4.3 The composition of the CAC is communicated to the appellant by email within 2 days of creation of CAC, as to leave the opportunity for Appellant to contest the composition of the Committee within 2 days following reception of email.

4.4.4 Any contestation from appellant on Committee composition should be duly justified and is studied by CD as to take relevant decision as to modify the Committee or not.

4.4.5 The appellant may withdraw the appeal at any time before the deliberations of the CAC. In this case, the appeal cannot be re-instated if it is founded on the same reasons.

4.5 Conduct of Meeting of the CAC

4.5.1 Following investigation, the Quality Manager holds the CAC meeting(s), as to reach a decision and/or recommendation(s).

4.5.2 All available documentation is reviewed by the committee during the meeting and before the decision/recommendation(s).

4.5.3 The Quality Manager establishes a record (minutes) for each meeting.

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- 4.5.4 The minutes of the meeting is sent to the CD in a period not exceeding 5 days from the date of holding the first meeting (signed by the members of the appeal committee).
- 4.5.5 When taking a decision, the Committee must take into account the results of previous calls.
- 4.5.6 The CAC may recommend the amendment of a procedure, regulation, or other internal document of the XDS.
- In the case where the CD does not agree with the decision and/or recommendation(s) of the committee, the CD shall respond by next working day with documented appropriate reason(s) to the committee for their re-consideration.
- 4.5.7 Once the decision/recommendation(s) finalized and confirmed, the CD notifies the appellant on the decision by a registered letter.
- The decision is irrevocable.
 - Total time between confirmation of eligibility of appeal and informing appellant about decision cannot be more than 2 weeks following the reception of the appeal letter, if appellant does not contest the composition of CAC.
 - o If appellant contests the CAC composition, the notification time is not more than 6 working days following the notification on the agreed revised composition of CAC.
- 4.5.8 The Quality Manager monitors the implementation of the recommended action(s), if any, in accordance with the Corrective and Preventive Actions, QP-11.
- 4.5.9 The CAC is dismissed upon a resolution being made.
- 4.5.10 During the appeal process, the committee member shall not violate any rules and requirements as set forth in the Quality Manual, including, but not limited to, the confidentiality and the impartiality.

5. RELEVANT DOCUMENTS

- ISO/IEC 17065 Clause 7.13
- QM-01 Clause 7.13
- QP-11 Corrective and Preventive Actions

6. RELEVANT RECORDS

- QP07-FRM-01 Customer Complaints and Appeals Log Customer Complaints and Appeals Log

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