

PROCEDURES FOR RESOLUTION OF APPEAL, COMPLAINTS AND DISPUTES- (QP-13)

1.0 Purpose:

To document, establish, implement and maintain the system for addressing Appeal, Complaints and Disputes received by SWISSCERT as per requirements of ISO/IEC 17021, ISO /TS 22003 and other applicable international standards for certification bodies offering management system certifications.

2.0. Scope:

This procedure is applicable to all appeal, complaints and disputes received by SWISSCERT related to its Management System Certification.

3.0. Responsibility:

Managing Director

4.0. Procedure:

4.1 Appeals

SWISSCERT has a documented process to receive, evaluate and make decisions on appeals as under.

4.1.1 Any client can make an appeal to the managing director of SWISSCERT in respect of the following,

- (a) Non acceptance of client's application for certification
- (b) Granting, suspending, refusing, withdrawing or denying of certification

4.1.2 SWISSCERT is responsible for all decisions at all levels of the appeals-handling process. SWISSCERT ensures that the persons engaged in the appeals-handling process are different from those who carried out the audits and made the certification decisions. SWISSCERT record all appeals in document FT-33 and acknowledge the receipt of the appeal. All appeals are to be addressed within 30 working days from the receipt of the appeal.

4.1.3. SWISSCERT ensures that submission, investigation and decision on appeals do not result in any discriminatory actions against the appellant

4.1.4 SWISSCERT receiving the appeal is responsible for gathering and verifying all necessary information to validate the appeal. All appeals are reviewed by the appeal panel constituted by managing director for each appeal. The appeal panel contains at least two members from the SWISSCERT's auditor panel who have not been part of the audit and also not involved in certification decision or involved in the subject of the appeal. For appeal against the decision of the Managing Director the matter is referred

to the chairman of the impartial committee for constituting the panel and taking the decision.

4.1.5 SWISSCERT acknowledges receipt of the appeal and provides the appellant with progress reports and the result of the appeal.

4.1.6 The appeal panel investigates the appeal by looking into the records and / or talking to the appellant and SWISSCERT and takes a decision taking into account the results of any previous such appeals. Based on the decision of the appeal panel SWISSCERT initiates appropriate correction and corrective action and the same recorded in FT-33, register for complaints, appeals & disputes. The decision to be communicated to the appellant is made by, or reviewed and approved by the panel not previously involved in the subject of the appeal.

4.1.7 The right of the client to appeal against any decision by SWISSCERT is communicated at the time of sending the quotation through document PD-02. And made publicly available through web site and / or document PD-02

4.1.8 SWISSCERT gives formal notice to the appellant of the end of the appeals handling process.

4.2 Complaints

4.2.1 SWISSCERT responsible for all decisions at all levels of the complaints handling process. SWISSCERT receiving the complaint will be responsible for gathering and verifying all necessary information to validate the complaint.

4.2.2 Submission, investigation and decision on complaints does not result in any discriminatory actions against the complainant.

4.2.3 Upon receipt of a complaint, SWISSCERT confirms whether the complaint relates to certification activities that it is responsible for and, if so, accordingly deals with it. If the complaint relates to a certified client, then examination of the complaint consider the effectiveness of the certified management system.

4.2.4. The complaints received are recorded in FT-33 and is acknowledged to the complainant. The managing director reviews the complaint to ascertain the seriousness and the genuineness of the complaint. SWISSCERT provides the complainant with progress reports and the outcome. The complaint shall remain confidential between SWISSCERT, related party (i.e.) client and the complainant.

4.2.5. The complaint address process:

4.2.5.1. Complaints about SWISSCERT from the client or third party

- (a) Depending on the nature of the complaint, managing director decides to conduct the investigation himself or appoint a complaint panel for each complaint. The complaint panel contains at least two members from the SWISSCERT's auditor panel who have not been part of the audit and also not involved in certification decision or involved in the subject of the complaint. Further, the complainant is given an opportunity to present the case to the panel in person if he so desires.
- (b) The complaint panel will be investigating the complaint by looking into the records and / or talking to the complainant and SWISSCERT and takes a decision taking into account the results of any previous such complaints.
- (c) The details of investigation and the correction and the corrective actions identified are recorded in the complaint register. Upon verification on the effectiveness of corrective action taken, SWISSCERT informs the complainant about the correction and corrective action taken and if the complainant is satisfied with the actions taken the complaint is treated as closed

4.2.5.2. Complaints about the certified client from its customers or any other Third party:

- (a) SWISSCERT inform the client about the complaint received and ask the client to investigate the complaint and report the findings to SWISSCERT within two weeks from the date of receiving the complaint by the client.
- (b) If SWISSCERT does not receive any response from the client or the action taken by the client is not found effective, SWISSCERT informs the client accordingly and ask for a special audit at the client site by SWISSCERT. On confirmation from the client SWISSCERT conducts a special audit as per SWISSCERT procedure, QP-07 and investigate the complaint.
- (c) If the complaint is of serious nature SWISSCERT initiates the special audit directly with the client.
- (d) As its policy, SWISSCERT does not disclose the identity of the complainant to the client.
- (e) If any action is needed to be taken by the client SWISSCERT verifies the effectiveness of such action by suitable means appropriate to the gravity of the problem.
- (f) If the corrective action taken by the client is found effective SWISSCERT informs the complainant accordingly and the complaint will be treated as closed.

4.2.6. SWISSCERT has decided to make public the complaint and its resolution if agreed with client and complainant.

4.2.7 The decision to be communicated to the complainant is made by, or reviewed and approved by managing director or complaint panel not previously involved in the subject of the complaint.

4.2.8. Whenever possible, SWISSCERT give formal notice of the end of the complaints-handling process to the complainant.

4.3 Client feed back

4.3.1 After every audit (certification, surveillance and re- certification) a feedback from the client is obtained in document FT-34, to assess,

- SWISSCERT's office responsiveness to client queries at various stages of the certification process
- Performance of the audit team
- Areas for further improvement

4.3.2 All the feedback received from the clients are analyzed and appropriate action taken if required.

4.3.3 The actions taken are recorded in FT-34.

4.3.4 A summary of feedback and the findings with corrective action taken are reviewed in MRM and IC meeting.

4.4 Disputes

4.4.1 Any dispute arising out of SWISSCERT's certification activities will be settled by private negotiations between the parties, and if this is not possible, then it should be referred to arbitration as per the Indian Arbitration Act, 1996, subject to Delhi jurisdiction. The decision of the arbitrator will be binding for the both parties.

4.4.2 Records of all the disputes are maintained and reviewed in MRM and IC meeting.

5.0 Records

- (a) FT-33 – Register for Appeal, complaints and disputes
- (b) FT-34 – Feedback form

6.0 References

- (a) QP-07, Procedure for Special Audit
- (b) PD-02, Rules and regulation for certification