

IANDT

Complaints and Appeals

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COMPLAINTS AND APPEALS

QP 15

1 Introduction

- 1.1 The organisation takes very seriously any and all complaints made in connection with its products and services. This procedure sets out a method of dealing expeditiously and impartially with complaints made by customers and other (external) interested parties.

2 Abbreviations and Definitions

- 2.1 **Complaint:** Criticism of the Certification Body, or of the qualification/ assessment process.

- 2.2 **Appeal:** Against a decision made by the certification body

Other applicable abbreviations and definitions are listed in the Quality Manual

2 References

General references are listed in the quality manual;

ISO 9001 Quality Management system - Requirements

ISO17024 Conformity assessment – General requirements for bodies operating certification of persons

ISO9712 Non-destructive testing – Qualification and Certification of NDT Personnel

3 Responsibility and authority

- 3.1 All individuals involved in the handling of complaints and appeals shall be impartial (QP 18 refers).

- 3.2 The Head of certifications, shall be responsible for reviewing complaints and deciding on or recommending an appropriate course of action.

4. Information for complainants or appellants

- 4.1 All complaints or appeals must be made in online or writing, using the appropriate form referenced in this procedure. Each complaint or appeal will be acknowledged, investigated and resolved. Verbal complaints will not be accepted.

- 4.2 Complaints may be made by any individual (e.g. a certificate holder, a certificate holder's employer, or a client of an employer) against the qualification and certification process, the CB administration body, an ATO, or a certificate holder.

- 4.3 Appeals may be made against a decision taken by the CB not to award a certificate, to withdraw or cancel a certificate, or not to renew a certificate, or reduce the scope of a certificate.

- 4.4 Submission, investigation and decision on appeals shall not result in any discriminatory actions against the appellant.

- 4.5 Any action determined by the Complaints and Appeals Panel regarding a substantiated complaint will be notified to the complainant, the ATO or the CB (as appropriate) at the appropriate time.

- 4.6 The Scheme Committee will meet and review all relevant material within 42 days of receipt of a written complaint or appeal and decide upon the appropriate action to be taken by the Head of certifications.

- 4.7 The Constitution, Terms of Reference and Method of Working for the Complaints and Appeals Panel are included in this procedure.

5. Process

- 5.1 The Head of certifications will endeavour to deal with complaints and appeals without recourse to committee. Where this is not possible, or where the complainant or appellant insists, the matter will be put before scheme committee.

- 5.2 Ordinarily, complaints are handled by correspondence with the complainant/appellant who may submit written representations.

- 5.3 As part of the investigation, the Head of certifications will correspond with all appropriate parties, including the complainant and the certification holder or the ATO or the CB, in order to determine the facts relating to the complaint or appeal.

- 5.4 On receiving a complaint or an appeal, the Head of certifications will decide whether there is sufficient information to consider the complaint or appeal and make a decision. In the case where there is insufficient information, the CEO will correspond with all connected parties to gather more information and where appropriate will use one or more of the data collection forms attached.

- 5.5 Once sufficient information has been obtained, the Head of certifications will decide whether to manage the complaint or appeal himself/herself or escalate to Scheme Committee. In the case where a complaint is against the CB, Scheme Committee will take up the matter. In all cases, outcomes will be reported to the Certification Scheme Committee.

- 5.6 Once the complaint or appeal has been considered and a decision has been made, the outcome will be corresponded to all interested parties .

- 5.7 Depending on the outcome, the complainant or appellant will have 15 working days to appeal the decision. After the appeal against the decision has been considered and adjudicated upon, no further appeals will be allowed unless new evidence is forthcoming.



6. Guidance on outcomes

6.1 Appeals

If it transpires that the CB has made a mistake when making a decision not to award a certificate, to withdraw or cancel a certificate, not to renew a certificate, or reduce the scope of a certificate, then the decision should be reversed as soon as possible without further costs to the appellant.

All other appeals will be considered on their own merits; however, no decision by the Scheme Committee should be seen to be circumventing due process, in as much as, a certificate holder must have demonstrated his/her competence by passing the appropriate examination in accordance with the rules.

Other decisions by the Appeals Panel could include 'issuing a certificate subject to certain conditions', 're-sitting part of an examination', 'gaining more experience', 'additional surveillance' or any other measure that is seen to be fair and appropriate.

6.2 Complaints

6.2.1 Certification process - For the purpose of this document, complaints about the Certification process is confined to published CB documentation and local procedures used to manage the certification process; complaints about individuals' use and interpretation of documented information and local procedures are likely to be made against the CB. As the published documents undergo a rigorous review and approval process, it is unlikely that complaints will be made against the content of these documents; however, if a complaint is made and upheld regarding these documents, then the document in question will be referred to the Scheme Committee for review and recommendation.

6.2.2 CB-If a complaint is made against the CB, then care should be taken to confine the investigation to the use and interpretation of the CB documentation and working procedures; If it transpires that a complaint against the use and interpretation of the CB documentation and working procedures is upheld then the matter needs to be rectified as soon as possible and if appropriate an apology issued.

6.2.3 ATO-With regards to a complaint against an ATO being upheld, it is very difficult to predetermine penalties without knowing the severity of the offence. However some suggestions are listed below in descending order:

Mild response

- Letter from the Head of certifications pointing out the error and requiring specified corrective action.
- Letter from the Head of certifications demanding better performance in the future
- Require an ATO to re-train,
- Temporarily suspending operations of an ATO
- Immediate surveillance audit of the ATO
- Immediate reassessment audit of the ATO

Uncompromising response

- Withdraw ATO approval

6.2.4 Certificate holder-If a complaint is made against a certificate holder, it is likely to be for one of two fundamental reasons, either there is an issue relating to technical competence or there is an issue relating to the Code of Conduct.

If a complaint is made about a certificate holder's technical competence, then only penalties relating to the Method should be considered. However, within the Method, it may be possible to apply the penalties to one or more Categories. If the complaint is more generic in nature, it may be appropriate to apply penalties to the whole NDT Method. Penalties could include:

- Immediate re-training and re-examination in the Category
- loss of Category and/or Method certification for a short period, then restore certification
- loss of Category and/or Method certification for a short time, then re-training and re-examination
- loss of certification for a year or more and reversion to initial candidate

Note: all of the above penalties should have a time period associated with them.

If the complaint is about a certificate holder not complying with the Code of Conduct then penalties ought to be considered for all Methods and not just the Method for which the complaint applied to, for example: if the certificate holder is found guilty of falsifying ultrasonic reports and, in addition to Ultrasonic Inspection he/she holds certification in MPI and Radiography, then the penalties should apply to all three Methods. Depending on the severity of the offence, penalties could include:

- loss of Method certification for a short time, then reissue certification



- loss of Method certification for a longer time, then reissue certification
- loss of all Methods certification for a short time, then reissue certification
- loss of all Methods certification for a longer time, then reissue certification
- suspension for a year or more and reversion to initial candidate
- Reporting to the authorities

Note: all of the above penalties should have a time period associated with them.

7. **Complaints and Appeals Constitution, Terms of reference and Method of Working**

7.1 Constitution

7.1.1 The Complaints and Appeals shall be constituted of not less than three ordinary members of the Scheme Committee they can include Head of certifications And one other to be concerned solely with the interests of the complainant or appellant. At least one member will have technical expertise relevant to the complaint or appeal under consideration.

7.1.2 No person having a direct interest in the complaint or appeal shall serve on the committee. One of the Scheme Committee members will chair the meeting.

7.2 Terms of reference

The Certification Scheme Committee for assessing individual cases of complaint or appeal.

7.3 Method of Working

7.3.1 The Head of certifications will gather all necessary information from the parties concerned in order that the case can be fully assessed.

7.3.2 A meeting shall be convened within 42 days of receipt of a complaint; a scheduled Scheme Committee meeting could be used to facilitate such a meeting – subject to conditions of confidentiality and impartiality.

Note: If an appeal or complaint is urgent, the Head of certifications has the authority to convene a meeting as soon as the appropriate information is gathered.

7.3.3 The meeting shall take into consideration all of the material submitted when reaching a decision. Where the meeting is able to reach a unanimous decision, the Head of certifications will implement the decision and submit a brief report of the circumstances and decision to the next meeting of the Scheme Committee.

7.3.4 If the decision of the meeting is not unanimous, it shall be referred to the next ordinary meeting of the Scheme Committee whom shall either make a decision by a majority of 75% of attending voting members.

8 **Records**

F-87A Complaints against a certificate holder

F-87B Complaints against an ATO

F-87C Complaints against the CB

F-87D Complaints against a certification process

F-87E Appeal against failure to certify