

EFNDT/CEC/P/05-003

06-09-2005

COMPLAINTS AND APPEALS

SCOPE

This document details the procedure to be followed by a party which wishes to lodge a complaint regarding the operation of the EFNDT Approval of Certification Bodies, or to appeal against a decision made by the Secretariat or the EFNDT Certification Executive Committee.

Complaints or appeals should be addressed to:

The EFNDT Certification Secretary
EFNDT Certification Executive Committee (CEC)
c/o COFREND
1 Rue Gaston Boissier
75724 Paris CEDEX 15
France
Tel: +33 1 44 19 76 18
Fax: +33 1 44 19 75 04
e-mail: cofrend@cofrend.asso.fr

1. Definitions

- Complaint: (i) against an EFNDT internal procedure
 (ii) against a Certification Body approved by the EFNDT
- Appeal: (i) against an EFNDT Certification Executive Committee decision

2. Information for complainants or appellants

- 2.1 All complaints or appeals must be made in writing and will be similarly acknowledged. Verbal complaints will not be accepted.
- 2.2 Complaints may be made by any individual or organisation against an EFNDT Approved Certification Body.
- 2.3 Appeals may be made against a decision taken by the EFNDT Certification Executive Committee (CEC) or the CEC Secretariat.
- 2.4 The EFNDT CEC Secretariat will attempt to deal with complaints and appeals without recourse to committee. Where this is not possible, or where the complaint or appeal concerns the Secretariat, the matter will be put before a properly constituted meeting of the CEC whose members are impartial.
- N.B. Ordinarily, complaints are handled by correspondence with the complainant/appellant who should note, however, that attendance in person before the CEC may be arranged at his/her request, but only if special circumstances prevail (as judged by the Chairman of the CEC).
- 2.5 The CEC will ordinarily meet and review all relevant material within 180 days of receipt of a written complaint or appeal and decide upon action to be taken by the Secretary. Where circumstances warrant, an extraordinary CEC meeting may be convened to deal with a complaint or appeal.
- 2.6 Where the EFNDT Certification Executive Committee cannot, for whatever reason reach a decision, the matter will be referred to Board of Directors of the EFNDT.
- 2.7 The Method of Working of the CEC in handling complaints is attached.

3. Method of Working

- 3.1 Where complaints are not able to be resolved by the secretariat, they shall be considered by the Certification Executive Committee (CEC) by post, or at an ordinary or extraordinary meeting if this is more appropriate.
- 3.2 No member of the CEC having a direct interest in the case of complaint or appeal in hand shall contribute to the decision, i.e., the CEC shall be impartial. CEC members are bound to declare any interest in the case under consideration.
- 3.3 The Secretary to the CEC will gather all necessary information from the parties concerned in order that the case can be fully assessed.
- 3.4 If an ordinary meeting of the CEC is not scheduled within 90 days from receipt of the complaint, an extraordinary meeting to consider the complaint shall be considered by the Chairman and convened by the Secretary in writing, giving 21 clear days notice.
- 3.5 The CEC shall take into consideration all of the material submitted when reaching a decision. Where the CEC is able to reach a decision, the Secretary will implement the decision.
- 3.6 Where the complaint concerns the operation of or a decision taken by the Certification Executive Committee, the Secretary shall refer the matter to the next ordinary meeting of the Board of Directors of the EFNDT.
- 3.7 The decision of the CEC in resolving a complaint may be the subject of an appeal.
- 3.8 Appeals against the decisions of the CEC shall be referred to the EFNDT Board of Directors.