

EFNDT/CEC/P/05-003 R02

2015-07-01

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 Chairman or the EFNDT Certification Executive Committee.

Complaints or appeals should be addressed to:

The EFNDT Secretary or EFNDT President

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. Such complaints shall be accompanied by verifiable documentary evidence of any breach of procedure or the EFNDT code of ethics.
- 2.3 Appeals may be made against a decision taken by the EFNDT Certification Executive Committee (CEC) or the CEC Chairman.
- 2.4 The EFNDT CEC Chairman will attempt to deal with complaints and appeals without recourse to committee, maintaining complete records of actions taken, which shall be reported to the CEC as soon as possible (and not later than at the next ordinary meeting of the CEC). Where it is not possible for the CEC Chairman to deal with the matter, or where the complaint or appeal concerns the Chairman, 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 or appellant who should note that attendance in person before the CEC may be arranged 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 six months 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 the Board of Directors of the EFNDT.

3. Procedure

- 3.1 Where complaints are not able to be resolved by the Chairman, 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 Chairman 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 3 months from receipt of the complaint, an extraordinary meeting to consider the complaint shall be considered and convened by the Chairman in writing, giving 28 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 Chairman will implement the decision.
- 3.6 Where the complaint concerns the operation of a decision taken by the Certification Executive Committee, the CEC Chairman, then 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.
- 3.9 The outcome of each complaint or appeal shall be communicated by the CEC Chairman to the complainant or appellant in writing.
- 3.10 Records of all complaints and appeals received, together with a record of the outcomes, will be raised and maintained indefinitely (There shall be no disposal of such records without the agreement of the CEC).