



# **Guide to Appeals and Complaints**

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# Pennsylvania Accreditation Center

PAC Appeals and Complaints

PAC-PR-15

Ver 1.0: 6/2021

## HISTORY OF THE DOCUMENT

Version number	Reason(s) of revision	Scope of the revision



## 1. PURPOSE

This procedure sets the criteria and steps for PAC in dealing with appeals and complaints received from a CAB. This procedure gives also guidance and instructions to the CABs if they intend to lodge a complaint or an appeal.

## 2. SCOPE

This document sets out the process for dealing with complaints and appeals. It applies to all accreditation services provided by PAC. It focuses in particular on:

- Complaints or appeals made by a person or organization regarding the accreditation services of conformity evaluation organizations offered by the PAC;
- Complaints concerning conformity assessment body accredited by PAC; PAC ensures a complaint concerning an accredited conformity assessment body is first addressed by the conformity assessment body;
- Appeals to the PAC against PAC decisions affecting accredited/applicant bodies;

## 3. REFERENCE

ISO/IEC 17011:2017: General Requirements for Bodies Providing Assessment and Accreditation of Conformity Assessment Bodies.

## 4. DEFINITIONS

**4.1 Appeal:** request by a conformity assessment body for reconsideration of any adverse accreditation decision related to its desired accreditation.

Adverse decisions include:

- the refusal to accept an application,
- refusal to proceed with an assessment,
- the resolution of a complaints,
- decisions relating to the refusal, suspension or withdrawal of an Accreditation,
- As well as any other measure that otherwise constitutes an obstacle to obtaining the accreditation desired by the conformity assessment body.

**4.2 Complaint:** expression of dissatisfaction, other than appeal, by any person or organization, to an accreditation body, relating to the activities of that accreditation body or of an accredited conformity assessment body, where a response is expected.

## 5. RESPONSIBILITY

**5.1 PAC Director:** is entitled to nominate persons for the appeal committee other than those who involved in the decision against which the appeal is raised and formalize the recommendation of the appeal committee.



**5.2 The Appeal Committee** deals with and gives recommendation upon the appeals received from the Conformity Assessment Bodies

**5.3 The Quality Manager** shall fill in the complaint/appeal register for each appeal /complaint (PAC-F-70 and PAC-F-72)

## 6. PROCEDURE

### 6.1 GENERAL

6.1.1 Appeals and complaints concerning the PAC, or the accredited activities of an accredited body, are recognized and treated only if they are authentic. Authentication normally consists of receiving a letter and / or document referring to it.

6.1.2 Appeals and complaints are handled in an appropriate and impartial manner without any discrimination actions.

6.1.3 The conformity assessment body shall make available to PAC the records of all complaints and appeals received and the actions taken to deal with them.

6.1.4 All those who are appointed for handling appeals or complaints shall be free from any commercial, financial and other pressures that might influence their decision. They shall disclose to PAC all their interests by signing PAC-f-45 Declaration of Impartiality and Confidentiality form .

6.1.5 The quality Manager shall bring the summary of the complaints/Appeal log and follow-up on corrective actions for discussion by the management during the Management Review Meeting

### 6.2 HANDLING APPEALS

6.2.1 In case of appeal against the decision of the PAC, the organization must lodge an appeal by written request to PAC using form PAC-F-69; the request must contain the reasons for the appeal.

6.2.2 Appeals must be submitted to PAC in writing within thirty (30) business days of the PAC decision in question. For appeal or hearing applications, the onus is on the appellant to submit, at the same time as the request, complete written documentation of the evidence and reasons for the appeal. PAC will review the application to verify that it is complete.

6.2.3 The source and origin of appeal are verified first by the PAC and then forwarded to the Director.



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- 6.2.4 The Director appoints an Appeal Committee to conduct, monitor and report on the progress of appeal handling.
- 6.2.5 The Appeal Committee shall not be composed of members with commercial or other interests in the appeal in question, nor be part of the accreditation process or have any relations with the Parties involved in the appeal.
- 6.2.6 The Appeal Committee shall start its work two weeks from the date in which the PAC GD has taken the decision of its formation and shall endeavour to complete its work, including the conduct of the hearing, within thirty (30) working days of its establishment.
- 6.2.7 The Appeal committee shall, to the extent necessary, conduct an investigation to determine whether or not the appellant's claim is well-founded. The committee shall prepare a report containing the conclusions of the investigation which must be submitted to the Director for review. The report should contain at least the following elements:
- The initial claim, the evidence and the justifications provided by the accredited body or candidate;
  - Evidence collected during the evaluation;
  - A summary of the processes reviewed during the evaluation;
  - the minutes of the meeting (and hearing sessions if necessary);
  - the result of the vote;
  - The conclusion / recommendation.
- 6.2.8 The Appeal Committee shall record the results of its investigations in a report addressed to the PAC Director.
- 6.2.9 If the appeal was accepted and justified by the Appeals Committee, the PAC adverse decision, against which the appeal was made, shall not be implemented and the CAB accreditation procedure shall continue as normal.
- 6.2.10 Whereas, if the appeal was rejected by the Appeals Committee, the CAB shall implement the relevant PAC's adverse decision and the PAC GD will be responsible for taking all consequent decisions resulting from the Appeals Committee decision (e.g. informing PAC in charge of sections and assessors, changing the accreditation scope, withdrawing the accreditation, etc...).
- 6.2.11 It is the responsibility of the Director of PAC to make the final decision on all matters related to the appeal and PAC remain responsible for all decisions at all level of the handling process for appeals.
- 6.2.12 The Director of PAC shall take a decision on the appeal conforming to the recommendation of the Appeal Committee and shall inform the body of this decision by registered letter with acknowledgment of receipt within a maximum period of fifteen



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days.

- 6.2.13 The Appellant will be informed of the decision and the corrective measures to be implemented, if any, according to the time frame set by PAC
- 6.2.14 After the PAC has made and announced its decision on an appeal, if the accredited body or candidate is of the opinion that the appeal has not been satisfactorily addressed, it is free to file a complaint against PAC before the ARAC or AFRAC.

## 6.3 HANDLING COMPLAINTS

- 6.3.1 Complaints must be made in writing, although it is possible to begin by verbally or otherwise communicating with the PAC to advise that a complaint may be made to them officially in writing using form PAC-F-71. The onus is on the complainant to provide the justifications and evidence relating to the complaint. PAC will not intervene until it receives the written complaint and supporting evidence.
- 6.3.2 Complaints should first be addressed directly to the organization most affected (eg accredited organization). PAC will only intervene if steps have been taken with this agency and the situation has not been satisfactorily resolved.
- 6.3.3 PAC will acknowledge, document and respond to complaints. Upon receiving a complain PAC GD assigns the coordination of complaint processing to the Quality Manager PAC will examine the merits of the complaint, request additional information, if necessary, investigate and respond to the complainant. If the complaint is unfounded, it will inform the complainant.
- 6.3.4 PAC could involve other parties in the investigation and provide them with the information received from the complainant taking into account issues of confidentiality, conflict of interest and impartiality.
- 6.3.5 In general, handling each complaint shall not take more than 60 days from the date of receiving it. PAC shall write a letter of response to the complainant, which will include the PAC's decision regarding his complaint, the actions to be taken to resolve the complaint with the estimated time frames and an expression of thanks of his alertness.
- 6.3.6 The accreditation body shall give formal notice of the end of the complaint handling process to the complainant. Evidence on completing the corrective actions and resolving the complaint is sent to the complainant
- 6.3.7 Investigation and decision on complaints is not result in any discriminatory actions against the complaints.

## 7. RELATED FORMS



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**PAC Appeals and Complaints**

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- PAC-F-69 appeal submission form
- PAC-F-70 Appeal register
- SDCA-F-71 complaint submission form
- PAC-F-72 Complaint register