

Type:	Procedure	Author/Owner:	Juraj Urban
Revision date:	10/08/2021	Approved by:	Shaun Bainbridge

SCOPE

This document describes the approach taken to appeals and complaints received in relation to all Verification & Certification activities. The procedure applies to Lucideon CICS Limited and Lucideon CICS Ireland Limited (hereafter referred to as LUCIDEON).

Responsibilities

The **Technical** Manager has overall responsibility to ensure this procedure is sufficiently implemented. The **Technical** Manager is supported in its implementation by the Director and other Senior Management as defined in this procedure.

When the need arises the **Technical** Manager with the support of the Director has the responsibility to assemble an "Appeals Panel" to impartially review any appeals or Complaints that cannot be satisfactorily resolved by the management team.

The "Appeals Panel" will hear and consider appeals relating to all the LUCIDEON verification and certification activities. The "Appeals Panel" members hearing each appeal shall be selected from a number of independent individuals from industry or the wider Lucideon Group (other than the Managing Director) and shall consist of a Chairman and at least one other individual, none of whom shall have any commercial interest in the subject of the appeal. The individuals selected to hear any appeal will be appropriately qualified persons, with the relevant experience and knowledge to impartially hear the appeal or review the unsatisfactory complaint resolution (i.e. Verification/Certification).

PROCEDURE

Appeals

An appeal can be a request by a client or responsible party to LUCIDEON for reconsideration of a decision LUCIDEON has made in relation to a validation, verification or certification. An appeal can be received via a variety of communication channels e.g. telephone, email etc.

The process is as follows:

1. LUCIDEON will send an acknowledgement of receipt of the appeal to the client/responsible party, initially log the details into the LUCIDEON database, and notify the relevant senior manager (LUCIDEON **Technical** Manager and/or the Assurance Services Manager) if not already notified via the appellant. The appellant will be encouraged to submit the appeal in writing supported by relevant facts and data for consideration.
2. If the Senior Manager has not been directly involved in the verification or certification *i.e. as a Team Member or as the Technical Reviewer*, then that person shall attempt to resolve the appeal. If they have been involved or are unavailable (e.g. on holiday) then the Director shall attempt to resolve the appeal (Note: whoever attempts to resolve the appeal shall be independent of the relevant verification or certification activity and engagement).
3. If the appeal cannot be resolved then the appeal may be referred to the "Appeals Panel". This panel is assembled as noted above, if the appellant so wishes. A meeting of the "Appeals Panel" shall be held within 90 clear days of receipt of such notice and the appellant shall be given at least 7 clear days' notice of the time and place of such a meeting. The decision of the Senior Manager (or whoever actioned the appeal) shall stand, pending any meeting of the Appeals Panel. At such meetings, both the appellant and the Senior Manager (or whoever actioned the appeal) shall be entitled to be heard in confidence. For practical reasons, pressure on time and expense, any/all appeals will be heard in the UK.

The decision of the majority of the "Appeals Panel" as declared by its Chairman shall be final and binding on both the parties. Once the decision regarding an appeal has been made, no counter-claim by either party in dispute can be made to amend or change this decision.

Appeals and Complaints

Type:	Procedure	Author/Owner:	Juraj Urban
Revision date:	10/08/2021	Approved by:	Shaun Bainbridge

The Executive Board is responsible for the review and disposition of appeals and overview of the proper implementation of its decisions.

The Client has the right to appeal the LUCIDEON decision to the appropriate accrediting body. The accrediting body may then review the appeal information and their sole duty shall be to determine whether LUCIDEON appropriately followed this appeals procedure.

4. The "Appeals Panel" Chairman shall notify the appellant, in writing, of the members of the "Appeals Panel" and the appellant shall have the right to object, in writing to the Chairman, to any member(s) of the "Appeals Panel". *This process shall also ensure that any decisions do not result in any discriminatory actions against the appellant.*

5. A register of all appeals lodged and their outcome is maintained, along with the names of the members of the "Appeals panel". Details of the appeal shall be formally logged on "F - Internal Concerns Action Request" and logged in the Non-conformances register with identification of appropriate actions undertaken.

Note:

As part of the process the appellant shall be informed of the receipt of the appeal, the appeals-handling process (direction should also be given to the LUCIDEON website (<http://www.lucideon.com/assurance>) where the appeals & complaints procedure is explained in sections 15 & 16 of "IN - Conditions of contract- GHG Verification" or "IN - Conditions of Contract - ISO Certification") and the person/s who is/are to be initially engaged in the process.

The appellant/complainant shall be formally notified of the outcome (item 4 above) along with the persons who undertook the investigation. This notification will form part of the records to be maintained as part of this process.

It may be that in some circumstances what was originally seen as a complaint may actually be an appeal in which case the reasons should be recorded.

Complaints

A complaint is an expression of dissatisfaction, other than an appeal, by any person or organisation to LUCIDEON in relation to any client or LUCIDEON Service (validation, verification or certification) where a response is expected.

The process for handling complaints shall follow steps 1 – 5 above.

An additional step shall be ensured i.e.:

6. The confidentiality of the complainant and what the complaint is about shall be safeguarded from external parties. The submission, investigation and decision on complaints shall not result in any discriminatory actions against the any complainant.

All LUCIDEON Appeals & Complaints shall be documented in the Management Review.

Notes:

1. "Appeals Panel" are members selected from a number of independent individuals from industry or the wider Lucideon group. The Panel appointed in respect of each appeal shall be selected from members of the Board (other than the Chief Executive) and shall consist of a Chairman and two members, none of whom shall have any commercial interest in the subject of the appeal. For GHG appeals, the Board member responsible for GHG shall establish an appeals panel of appropriately qualified persons, to assist the Board.

2. For GHG extra care is required when responding to the UKAS Information Exchange as required by the Accreditation and Verification Regulation as it is highly likely that certain personnel, e.g. the Assurance Services Manager, will not be independent of the verification process in all activities potentially cited in the complaint.

3. Due to various comments from Competent Authorities, UKAS and Verification Bodies the process for the Information Exchange was updated in 2018. The steps involved are shown in Appendix 1.

Appeals and Complaints

Type:	Procedure	Author/Owner:	Juraj Urban
Revision date:	10/08/2021	Approved by:	Shaun Bainbridge

4. Regulator feedback is not normally received for complaints logged as a result of the Information Exchange programme. If there has been no regulator feedback to the responses submitted by Lucideon CICS then the complaints can be closed out following review of corrective actions by UKAS during Head Office assessments. It is recommended that a comment of "no further feedback received from the regulator" be confirmed by the person approving closure of the complaint.

RECORDS

Record	Responsibility	Location	Period
Complaint findings and decisions	Business Support & Compliance Manager	LUCIDEON Database	10 Years
Appeals Panel findings and decisions	Business Support & Compliance Manager	LUCIDEON Database	10 Years
Formal notification of outcome	Business Support & Compliance Manager	LUCIDEON Database	10 Years

Type:	Procedure	Author/Owner:	Juraj Urban
Revision date:	10/08/2021	Approved by:	Shaun Bainbridge

Appendix 1

Steps in the Information Exchange Program

1. Information exchange templates will be sent to the relevant National Accreditation Body (NAB) in early autumn and copied to the respective verifier.
2. The three month window for the NAB to respond opens (AVR Article 72(2)).
3. Issues that are raised by the regulator through report reviews, inspections or internal documentation reviews must state what Article of the AVR or MRR they believe the verifier is non-compliant with to be treated as a complaint.
4. The verifier will have 2 months from receipt of the copied in email to review the findings, seeking any necessary clarifications with the regulator and respond to the NAB. NOTE: The regulator has requested that one response per verification body is submitted.
5. The Information Exchange template has been adapted to include a column for the verifier to provide a response to the NAB with a brief description of the root cause analysis and proposed actions. The changes to the template have been highlighted in yellow.
6. The NAB will review the verifier's response and communicate with the regulator, within 3 months from first notification, how it intends to follow up with the verification body, if not already done so.
7. The outcome of the NAB's investigations will be reported in the management report (AVR Article 70(3)) to the regulator the following June.
8. The complaint tab may be used to log 'other complaints' that are received.
9. Regulators may use the information exchange template to share with the NAB issues raised through reviews of NEC (New Entrants & Closures) reports and this information used.
10. Generic issues will continue be shared at the annual UK verifiers meeting.