



## **MP 09-03**

# **COMPLAINTS, APPEALS & DISPUTES**

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<b>Date of Approval</b>	15/05/2024
<b>Date of Implementation</b>	15/05/2024



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### 1.0 Purpose

This procedure describes the process for handling complaints appeals and disputes relating to NiNAS activities and the activities of accredited organisations. This document also describes the process for receiving and treating feedbacks from clients of NiNAS.

NiNAS is responsible for all decisions with respect to Complaints and Appeals. The decision is communicated to the complainant; it is reviewed and approved by, individual(s) not involved in the activities in question.

### 2. Scope

This procedure shall apply to complaints, appeals and disputes from the public and accredited organisations.

### 3. Definitions

Definitions related to this procedure are given in A01-01 Definitions and Abbreviations Used in NiNAS Documentation

### 4. Reference Documents

#### 4. Reference Documents

- ISO/IEC 17011:2017 *Conformity assessment - Requirements for accreditation bodies accrediting conformity assessment bodies*
- QM 1.0 NiNAS Quality Manual

### 5. General

The NiNAS procedure on complaints is designed to decide on the validity of complaints and ensure that a complaint against an accredited organization is first addressed by the organization. Complaints that are determined to be valid will be acted upon and those actions will be assessed for their effectiveness, records of complaints are maintained and responses are provided to complainants. Complaints forwarded to accredited organisations shall be followed-up at the next audit or assessment to ensure they have been addressed as required by accreditation standards. Disputes are a specific type of complaint as defined below.



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The NiNAS procedure on Appeals shall ensure that the Appeal is valid, that follow-up action will be taken by NiNAS and that records kept of all appeals, the final decisions and those actions taken. The Appellant shall be informed of the validity of the final decisions taken by NiNAS. In the procedure to deal with Appeals, NiNAS will appoint a person or group of persons to investigate the appeal. NiNAS shall ensure that such appointed person(s) are competent and independent of the subject of the appeal.

### 5.1 Complaints

#### 5.1.1 How to Lodge a Complaint

- a) A complaint shall be made by written submission, signed by the complainant and addressed to the Director of Accreditation;
- b) A complaint based on hearsay will not be considered;
- c) NiNAS will gather and verify all information necessary to validate the complaint and is responsible for all complaint related decisions. Resolution of a complaint could require the conduct of a full or partial assessment to obtain the proof needed to address the matter;
- d) Where a complaint is in regards to the operation of an accredited organisation, the submission shall include sufficient objective evidence to substantiate the complaint and allow for the action officer to make a decision on the appropriate action to take.

#### 5.1.2 Procedure for dealing with complaints

- a) An item of incoming mail will only be classified as a complaint by the Director of Accreditation or the Quality Manager. Before accepting incoming correspondence as a complaint, the Director of Accreditation or Quality Manager shall ensure that the complaint is substantiated, that it relates to accreditation activities for which it is responsible, and is satisfied that all attempts have been made to resolve the issue at the lowest appropriate level;
- b) Once validated as a complaint it shall be entered in the relevant Complaints Record, a file shall be opened to contain the relevant documentation and shall be passed to the action officer, as identified by the Director of



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Accreditation. Any incoming and outgoing correspondence, and associated documents shall be lodged in the file;

- c) After registration as a complaint and the action officer has been identified, the action officer shall dispatch a letter of acknowledgement to the complainant.
- d) As much as possible, the target to resolve complaints is 60 days; if resolution is to take longer the complainant will be provided with progress reports.

### 5.1.3 Complaints about NiNAS accreditation operations and its personnel

- a) The action officer appointed shall be independent from (not directly involved with) the subject of the complaint;
- b) The action officer shall investigate and make recommendations to the Director of Accreditation on all issues relevant. In resolving all the issues, the action officer shall consider both immediate and long-term action required by all parties concerned;
- c) Once a conclusion is reached, the action officer shall review the action to be taken with the Director of Accreditation or DG/CEO as appropriate for approval;
- d) The action officer shall write to the parties concerned advising them of those parts of the outcome that affect them describing the actions taken;
- e) Complaints and complaint handling if any shall be included as an agenda item for all Advisory Committee meetings.
- f) The decisions in response to a complaint should be made by, or reviewed and approved by, individual (s) who are not directly involved in the matters that are subject of the complaint.
- g) Once a conclusion is reached, NiNAS ensures that the investigation and decision has not resulted in any discriminatory actions against the complainant; The conclusions of the investigation of the complaint shall be communicated to the complainant subject to confidentiality requirements
- h) Resultant actions are to be taken in a timely manner.

### 5.1.4 Complaints about accredited organisations

- a) The action officer shall, consistent with NiNAS policy on confidentiality, formally bring the substance of the complaint and any relevant facts to the notice of the



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accredited organisation, even where these have already been made known to the organisation;

- b) The action officer will formally request the accredited organisation to respond to the NiNAS Office, within 15 working days, giving comments on the complaint and detailing the actions the organisation proposes or has taken to investigate and resolve the matter;
- c) The action officer shall update the follow-up column of the complaint file and if correspondence is not received from the organisation within the specified period of time, a reminder will be dispatched. Extended delays shall be brought to the attention of the Director of Accreditation;
- d) Once the action officer is satisfied that the matter is resolved, the action officer shall update the complaints register and pass the file to the Director of Accreditation for agreement with action taken/proposed;
- e) Where the action officer cannot resolve the issue, the matter shall be referred to the DG/CEO . Matters that cannot be resolved by the DG/CEO shall be referred to the Accreditation Advisory Committee for resolution;
- f) Once a conclusion is reached, NiNAS ensures that the investigation and decision has not resulted in any discriminatory actions against the complainant;
- g) The action officer shall then write to the parties concerned advising them of those parts of the outcome that affect them;
- h) The accredited organisation's file shall be noted so that the matter is brought to the attention of the Team Leader of the next surveillance or reassessment for due consideration;
- i) Complaints and complaint handling if any shall be included as an agenda item for all Advisory Committee meetings.

## 5.2 Appeals

### 5.2.1 How to lodge an appeal

- a) An appeal shall be lodged not later than thirty (30) days after notification of the decision or measure to the accredited organisation, whenever NiNAS may reasonably assume the decision or measure in question to be known to the appellant;
- b) An appeal shall be lodged by sending a substantiated letter of appeal to the Director of Accreditation;



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- c) An Appeal Panel shall be appointed by NiNAS Board Chairman; it shall consist of three (3) competent and independent members of Board or the Accreditation Advisory Committee to decide on the validity of the Appeal.
  - d) One of the three individuals will be appointed as Panel Chair.
  - e) No member of the Appeals Panel shall be from an accredited organisation nor have a direct interest in the subject of the appeal, in any form;
  - f) NiNAS shall provide a secretary who is non-voting member of the Appeals Panel.
  - g) NiNAS will gather and verify all information necessary to validate the appeal and is responsible for all complaint related decisions.

### 5.2.2 Procedure

- a) Immediately after receipt of the letter of appeal, the Director of Accreditation shall submit it the Chair of the Board for appointment and assignment on further proceeding of the Appeals Panel;
- b) When NiNAS receives the appeal it is responsible for gathering and verifying all necessary information to validate the appeal and prepare an information package for an Appeals Panel;
- c) The Appellant will be provided with progress reports when the process exceeds the recommended timelines in this procedure;
- d) The Appeals Panel has the right to hear witnesses, to consult experts and to take all measures and make all provisions, including the convening of one or more sessions, deemed necessary for a sound judgment;
- e) NiNAS Staff members as well as the external experts involved in the particular assessment are obliged - without prejudice to their declaration of secrecy towards all others - to provide the members of the Appeals Panel with the necessary information, if required to do so and to declare any conflicts of interest;
- f) The session will be held within 20 working days after receipt of the appeal. The appellant will be given a minimum of five (5) working days of the time and location of the meeting of the Appeals Panel;
- g) Both the appellant and the Appeals Panel have the right to avail themselves of assistance from witnesses, provided the names and addresses of the witnesses have been supplied in writing, to the Appeals Panel or to the appellant, whatever the case may be, not later than five working days before the date of the session;



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- h) The members of the Appeals Panel are under obligation of secrecy concerning anything that might come to their knowledge during their function with regard to the person, the accredited organisation or the personal or business situation of the appellant;
  - i) The members of the Appeals Panel shall judge in all fairness. The members are, however, bound by the rules of this document. The Appeals Panel decides on the appeal by a majority of votes and informs the parties concerned, in writing, of the judgment, not later than ten working days after the date of judgment. The judgment of the Appeals Panel is considered binding;
  - j) Once a conclusion is reached, the Appeals Panel with the input of staff ensures that the investigation and decision has not resulted in any discriminatory actions against the appellant;
  - k) The Appeals Panel is obliged to make a decision on the appeal within two months after the date the appeal has been lodged with the Director. This may be to refer the matter to the full Board for final decision in exceptional circumstances. Extension of time may only be granted by the NiNAS Chair, not to exceed 2 times, each at a maximum of 15 working days;
  - l) The judgment of the Appeals Panel shall be signed by all members of the Appeals Panel, after which the Director of Accreditation will notify NiNAS and send a copy by registered mail or email communication to the appellant. The original copy will be filed in NiNAS files. The file will include a record of actions taken and any required follow-up;
  - m) All the costs incurred in the appeal shall be borne by the appellant. Reasonable costs shall be reimbursed if the matter was caused by a member of NiNAS not following prescribed procedure.
  - n) In addition to the reporting provided above, additional progress reports if requested by the appellant shall be provided.

### 5.3. Secondary Complaints

- a) When a Secondary Complaint is submitted in writing or by phone the Director shall identify an action officer to resolve it. In the case of a telephone conversation, it will be a matter of judgment on the part of the NiNAS staff members as to whether they are competent to provide resolution.





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- b) If the individual does not think that they are competent to provide resolution, they shall pass it on to a member of staff that they considered competent. When attempting to provide resolution, the complainant should be made aware that if they are not happy with the answer/advice received they may ask for the matter to be referred to the Director of Accreditation.

### 5.4 Disputes

#### 5.4.1 How to lodge a dispute

- a) The submission of a Dispute shall be made by the accredited organisation within 10 days of the assessment, surveillance or reassessment. It shall be signed and addressed to the Director of Accreditation;
- b) The submission shall include sufficient evidence to substantiate and enable a response to the matter;
- c) The Director of Accreditation shall provide the dispute to the Team Leader and request a substantiated response to the concern within ten (10) days;
- d) The Director of Accreditation may choose to speak further to both parties to clarify the matter;
- e) The Director of Accreditation shall make a decision and respond to the accredited organisation within ten (10) days of receiving the Team Leader's response;
- f) The accredited organisation is advised that they may choose to appeal the decision.

### 5.5 Positive Feedback

#### 5.5.1 How to Handle Feedbacks from Clients

All positive feedback on NiNAS activities, personnel and assessors/technical experts shall be directed to the Quality Manager, who in turn shall acknowledge and record it. Where the feedback received is on NiNAS personnel, then the individuals involved and the head of department/unit shall be informed. NiNAS shall seek feedback from



conformity assessment bodies after the award of accreditation of their facilities. Such a feedback shall be recorded on the feedback form F 023 provided by NiNAS.

The results of the analysis of the feedback collected shall form part of the input to the improvement process of NiNAS.

### 6. Forms

Table: 9-1 Forms in use with Procedure 9	
Form Number	Title
F-9-001	Complaint Registration Form
F-9-002	Appeal Registration Form
F-9-003	Dispute Registration Form
F 023-1	Client Feedback Form

### 7. Document History



# NIGERIA NATIONAL ACCREDITATION SYSTEM

## MP 09 – Complaints, Appeals & Disputes

Issue 03

Modification No/Date	Proposed by	Page No.	Summary of Modification
30/06/2020	QM	All	Updated to reflect the requirements of the 2017 version of ISO/IEC 17011 and the new format for NiNAS procedures.
15/05/2024	Quality Manager		Updated to align with the NiNAS document template