

Complaints and Appeals

1. SUMMARY

1.1. Purpose- This procedure describes the processing steps:

- of disputes and appeals by certification clients against a decision made by TGSB
- of complaints received by TGSB from clients and other interested parties

It also describes the related responsibilities.


Complaints may come from:

1. TGSB clients regarding:
 - the quality of the services that are part of the certification process
 - the impartiality of TGSB
 - confidentiality of TGSB staff, etc.
2. Clients of companies certified by TGSB or other interested parties with respect to:
 - the quality of the products and services certified by TGSB
 - the quality of the products and services manufactured by companies certified by TGSB
 - the content, accuracy and clarity of information available to the public provided by TGSB
 - compliance with contractual provisions with the subcontractors

1.2. Scope- This procedure applies to the certification activities of TGSB.

2. REVISION AND APPROVAL

This procedure is released and approved as follows.

Revision/ version	Date	Nature of Changes	Author	Reviewer	Approver (Name & signature)
1/1	23/06 2020	Original issue.	Awa Jeng	Papa Secka	Papa Secka 

3. ABBREVIATIONS

- DG: Director General
- HCB: Head of the Certification Body

- CO: Certification Officer
- ISC: Impartiality Safeguarding Committee
- TGSB: The Gambia Standards Bureau
- QM: Quality Manager

4. PROCEDURE

4.1. Disputes and appeals

It should be noted that disputes and appeals have no suspensive effect.

4.1.1. Receipt of the dispute

The client may question a decision on the right to use TGSB Conformity Mark, and TGSB Management System certificates on the basis of supporting evidence addressed to TGSB. Disputes may be received in any form of mail: normal mail, registered mail, fax, email, etc.

Three cases arise:

- 1) The case where it is clear that it is possible to answer the client quickly (negatively: confirmation of the decision). In this case, the response is notified by registered letter with acknowledgment of receipt.
- 2) The case where it is clear that it is possible to answer the client quickly (positively: modification of the decision). In this case, an acknowledgment of receipt is sent to the client indicating a deadline for receiving the new official certification decision.
- 3) The case where it is necessary to make investigations to study in depth the request of the client. In this case, the CO sends an acknowledgment of receipt to the client informing him that his request is being studied and giving him the maximum time limit after which he will obtain the answer to his dispute.

4.1.2. Resolution of the dispute

The dispute is resolved by the HCB in collaboration with the DG.

If necessary, the following persons/bodies will be consulted to analyze the dispute and shed light on the matter:

- Laboratory having performed the tests in case of product certification.
- The expert who performed the audit.
- The person who took the samples to test them in case of product certification.
- The technical expert who conducted the review and made a decision, and gave recommendation to the DG.

After these consultations,

- if the response to the client is negative (confirmation of the first decision), the response will be notified by registered letter with acknowledgment of receipt;
- if the response to the client is positive (change of the first decision), the new decision will be communicated to him.

4.1.3. Receipt of the appeal

Upon receipt of the notification of negative decision on the dispute, the client may appeal against the decision made by sending his request, within fifteen days. This request shall be forwarded to DG to refer it to the ISC.

The HCB acknowledges receipt of the appeal from the client. The DG invites the ISC to meet within 15 days. A technical expert who did not participate in the evaluation or review (or surveillance) is invited to provide technical clarification to the members of the committee.

4.1.4. Review of the appeal by the ISC

At the beginning of the meeting, the members of the committee verify the admissibility of the appeal:

- Check the deadline for sending the appeal letter.
- Make sure that the appellant is authorized by the organization he or she represents.
- Ensure that the arguments of the appeal are well-founded (with the help of the invited technical expert).

Subsequently, the committee members review the file and recommend a response to the client.

The committee may need to hear the client for possible clarifications.

4.1.5. Notification of the appeal decision

The DG of TGSB endorses the decision of the ISC.

The DG notifies the client of the final decision by registered letter with acknowledgment of receipt.

4.1.6. Corrective actions

In any case, when the review of the disputes and the appeals indicates nonconformity on the part of TGSB or its subcontractors, the HCB must implement corrective actions to prevent the problem from recurring.

4.2. Complaints

4.2.1. Receipt of the Complaint

The complaint is received by TGSB and then registered on the *Complaints Register* TGSB-CB-FRM-PMS-004.

A description of the complaint is recorded by the QM on the *Complaints form* TGSB-CB-FRM-PMS-003.

An initial analysis is conducted to confirm whether the complaint is admissible and is related to the TGSB certification activities.

The complaints register includes the following information:

- Complaint number
- Complainant
- Date of receipt
- Type of complaint
- Completion date.

The QM must acknowledge receipt of the complaint to the client or interested party within 5 working days and inform them that the processing of his/her complaint is being carried out.

4.2.2. Resolution of the complaint

The QM sends the form to the HCB to examine it and propose corrective action. Corrective action must be forwarded to the DG for approval.

4.2.2.1. Case of a complaint against TGSB CB

The HCB proposes an action plan on form *TGSB-CB-FRM-PMS-003* for the handling of the claim and the elimination of causes (within a maximum of 15 days).

Subsequently, the QM informs the complainant of the proposed solution for the complaint.

In the event that the complainant refuses the proposed solution, the DG convenes a meeting of the ISC within 30 working days of receipt of the complainant's last notification. At this meeting, the committee may hear the complainant ensuring the former's confidentiality.

4.2.2.2. Case of a complaint against a certified company

4.2.2.2.1. The complaint does not concern the conformity of the product/system

If the complaint concerns compliance with the certification scheme but does not concern the conformity of the product/system with the requirements of the certification scheme, the HCB writes to the client and asks him to respond within 15 days.

The HCB in collaboration with the CO examines the relevance of the client's response. In particular, if the complaint is justified, the client must propose action(s) to reduce the dissatisfaction of the complainant, and to avoid the repetition of the problem. The HCB can ask the client to improve their action plan.

The QM informs the complainant of the outcome of his complaint within the limits of confidentiality for the client.

At the next audit of the client, the CO communicates the claim file to the auditor and asks him/her to review on-site the progress in the corrective actions.

In case of repeated complaints, the HCB immediately decides on an additional audit on the client's production site.

4.2.2.2.2. The complaint concerns the conformity of the product/ system

If the complaint concerns the product's or system's compliance with the requirements of the certification scheme, the HCB writes to the client and asks him to respond within 15 days.

If the complaint is serious, the HCB (in collaboration with the CO) organizes a special surveillance mission:

- Sampling of products followed by testing if applicable (the client can be invited to attend the sampling if it is on the market).
- And/or audit on production site.

If the product/system proves to be non-compliant, the provisions of the certification scheme and the certification procedure concerning the actions to be taken when a nonconformity is detected shall apply.

The QM informs the complainant of the outcome of his complaint within the limits

of confidentiality for the client.

5. REFERENCE

5.1. Reference procedures

- International standard ISO/IEC 17065: 2012: "Conformity assessment — Requirements for bodies certifying products, processes and services".
- ISO/IEC 17021-1: 2015 Conformity assessment – Requirements for bodies providing audit and certification of management systems. Part 1 – requirements

5.2. References

- General certification rules of TGSB conformity mark "TGSB-CB-RGD-PRC-001"
- Corrective action request (CAR) form "TGSB-GEN-FRM-NCS-001"
- Complaints form "TGSB-CB-FRM-PMS-003"
- Complaints register "TGSB-CB-FRM-PMS-004"