



ILAC Procedure for Handling Complaints

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PREAMBLE

This document was originally developed by the ILAC Secretariat and approved by the ILAC Executive Committee in February 2005 as the *ILAC Procedure on Disputes, Complaints and Appeals*.

It was reviewed by the ILAC Secretariat and Executive Committee in 2006 and endorsed by the ILAC membership for publication as the *ILAC Procedure for Handling Complaints* in July 2007.

PURPOSE

This procedure outlines the ILAC secretariat's process for handling complaints.

AUTHORSHIP

This document was developed by the ILAC Secretariat and approved by the ILAC Executive Committee in February 2005. It was revised and then published after being endorsed by the ILAC membership in 2007.

Following the publication of ILAC-R1:09/2009 Classification and Publication of ILAC Documents, which includes a revision of the ILAC document classification system, all documents previously published as Secretariat or S Series documents have been relocated to the newly created category of ILAC-R or Rules (Requirements) documents. This document, previously published as ILAC-S5:09/2007 ILAC Procedure for Handling Complaints, has been revised to reflect the new classification systems and to update document references where necessary. The content of this document has otherwise not been reviewed or amended.

PROCEDURE

1. SCOPE

This procedure outlines the ILAC Secretariat's process for handling complaints including disputes between members or with other interested parties, received in writing, by the ILAC Secretariat.

This procedure applies to appeals in relation to the resolution of complaints only. Appeals against decisions on signatory status of the ILAC Arrangement are not covered by this procedure. These are addressed in section 6 of *ILAC P4, the Arrangement Policy Statement* and in Annexure 9 of *IAF/ILAC A1 and A2, IAF/ILAC Multi-Lateral Mutual Recognition Arrangements (Arrangements): Requirements for Evaluation of a Regional Group and Single Accreditation Body* respectively. Appeals regarding termination or denial of membership are covered in *ILAC R2 Rules* – bylaw 6.

2. DEFINITIONS

Complaint: Any formal expression of dissatisfaction raised with ILAC in regard to its activities, its members, or its service to clients. This may include general issues pertaining to the ILAC Arrangement, eg. non-acceptance of signatory tests/calibration reports by other signatories or disputes relating to the evaluation process or liaison activities.

Appeal: Formal review process when a complaint is not resolved to the satisfaction of the complainant.

3. GENERAL

An ILAC member or any other party who is dissatisfied with any action or decision involving ILAC has the right to raise the issue. For major complaints (including disputes), the Secretary forwards the issue to the ILAC Executive Committee [via the ILAC Chair, refer to 5.2(a)] for resolution. Alternatively for administrative matters, the ILAC Secretary, after discussion with the ILAC Chair, may respond to the party concerned on behalf of ILAC. In the latter case, a full record of the complaint and response will be made available to the Executive Committee.

4. COMPLAINTS PROCEDURE

4.1 Maintaining the confidentiality, efficacy and integrity of ILAC processes is the primary objective when dealing with complaints. The ILAC Secretary ensures that all ILAC member organisations and related parties are supported by a fair and effective complaint handling process. The confidentiality, independence and impartiality of all those involved in the complaint is maintained at all times.

4.2 The process for raising and resolving major complaints is as follows:

- (a) All complaints must be submitted in writing to the ILAC Secretary before formal investigations proceed. Details of the complaint are logged (a unique number is given, eg, XX/Year).

The ILAC Secretary forwards the complaint to the ILAC Chair (or to the ILAC Vice-Chair during the Chair's absence) for review.

When a complaint is not formally submitted in writing (eg. verbal complaint, complaint raised during meetings etc) the complainant is advised of the need to submit the complaint in writing, before action can be taken.

- (b) On review of the complaint, the ILAC Chair at his/her discretion and with the written permission of the complainant, may forward the complaint to either the relevant member accreditation body(s) or regional cooperation body(s) (eg. APLAC, EA, IAAC, SADCA) for resolution. The member accreditation body(s) or regional cooperation body(s) concerned must provide a written report, including the actions taken to resolve the complaint, to the ILAC Secretary upon completion of their investigation. This is normally expected within 3 - 6 months.
- (c) If the complaint is not passed to the relevant member accreditation body or regional cooperation body for action, the ILAC Chair appoints a minimum of two impartial members of the Executive Committee and where deemed appropriate, external experts to investigate the complaint. The team leader of this adhoc Group must be an Executive Committee member nominated by the ILAC Chair. The appointed members of the adhoc Group are responsible for reviewing all the reports and documents pertaining to the complaint and ensuring any necessary information is sought from relevant sources.

- (d) Upon completion, the team leader of the adhoc Group is responsible for reporting to the Executive Committee. The team leader provides the Executive Committee with a written report on the findings of the investigation including any recommendations and corrective actions required for the resolution of the complaint.
- (e) The Executive Committee considers the adhoc Group's report and expedites any necessary actions for resolving the complaint.
- (f) All parties involved in the complaint are promptly advised in writing of the decision of the Executive Committee. When advising all parties of the decision, information confidentiality of each of the parties involved shall be protected, unless ILAC has received written permission to release such information to the other parties involved. This should normally be completed within 3-6 months of receipt of the complaint. Complainants are also advised of section 5 of this document if they wish to lodge an appeal.
- (g) At each ILAC Executive meeting the ILAC Secretary shall provide the Committee with a summary of all complaints finalised since the previous meeting.
- (h) The ILAC Secretariat maintains the following records of all complaints:
 - Members of adhoc Group;
 - Details of complaint;
 - Investigation documents and report;
 - Decision by Executive Committee;
 - Details of actions taken;
 - Date of resolution and any other comments, as required.

5. APPEALS AGAINST COMPLAINT DECISIONS

If a complainant is not satisfied with the decision, a formal request to review the decision must be lodged in writing to the ILAC Secretary within 30 days of receipt of the notification. The process is then as follows:

- (a) The ILAC Secretary forwards the appeal documents to the ILAC Chair for review prior to distribution to the ILAC Executive Committee.
- (b) The Executive Committee decides whether an independent review panel, the full Executive, or a sub-set of the Executive Committee is required to carry out the review.
- (c) The Group appointed in (b) is responsible for reviewing the appeal documentation, investigation report and decision. An opportunity for the complainant to formally present their case in a hearing must also be provided. Where the review is by an independent panel or a sub-set of the Executive Committee a recommendation to the Executive Committee must be prepared.
- (d) The Executive Committee makes the necessary decisions to close out the appeal and recommends appropriate corrective actions.

- (e) All parties involved in the appeal are promptly advised of the findings in writing, including the reasons for the decision(s) reached. When advising all parties of the findings, information confidentiality of each of the parties involved shall be protected, unless ILAC has received written permission to release such information to the other parties involved. The ILAC Secretary ensures the necessary action for close out of the appeal is completed. This should normally be completed within 3 months of receipt of the appeal.
- (f) At each ILAC Executive meeting the ILAC Secretary shall provide the Committee with a summary of all appeals finalised since the previous meeting.
- (g) The ILAC Secretariat maintains the following records of all formal requests for review of an initial decision on a complaint:
- Members of review panel;
 - Record of review of appeal documentation as per 5(c) and the recommendation to the Executive where applicable;
 - Decision by Executive Committee;
 - Details of actions taken;
 - Date of close out and any other comments, as required.

6. FOLLOW-UP ACTIVITIES

ILAC considers all complaints as a possible opportunity to improve its services and implement corrective and preventive actions. ILAC is committed to monitoring and achieving continual improvement in all areas of its activities.