



PROCEDURE FOR HANDLING OF APPEALS AND COMPLAINTS

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1. PURPOSE

- 1.1. This procedure describes the responsibilities and actions of the Chair, Secretary, Executive Committee, MLA Committee, MLA Group and ARAC members in relation to the handling and resolution of appeals and complaints.
- 1.2. This procedure shall be publicly available on the ARAC website.
- 1.3. ARAC considers appeals and complaints as a possible opportunity to improve its services and to implement corrective and preventive action measures. ARAC is committed to monitoring and achieving a continual improvement in all areas of its activities.

2. DEFINITIONS

The terms and definitions used in this procedure are based on ISO/IEC 17011:2017 and ISO/IEC 17000:2004 definitions.

- 2.1. **Appeal** Request by an accreditation body for reconsideration of any decision made by ARAC related to:
 - its membership (or Memorandum of Understanding, MOU),
 - the decisions made by the ARAC MLA Group, General Assembly or the Executive Committee, if the appellant considers such decisions have been made in breach of the ARAC procedures, related to its future or current MLA signatory status
 - any adverse decision carried out by an official or committee acting on behalf of ARAC including any adverse decision by a peer evaluation team related to its current or future signatory status of the ARAC MLA.
- 2.2. **Complaint** Expression of dissatisfaction, other than an appeal, submitted in writing by any person or organization to ARAC, relating to the activities of ARAC, or to the activities of ARAC Members, where a response is expected.
- 2.3. **Complainant** Person or Organization that submits a complaint.
- 2.4. **Appellant** Person or Organization that submits an appeal.
- 2.5. **Complaints Working Group (CWG)** Group composed of a leader and one or more persons designated by the ARAC Chair from ARAC members. The CWG members should have the appropriate competence and satisfy the requirements of objectivity and impartiality and no conflict of interest exists.

2.6. **Appeals Review Group (ARG)** Group made up by a leader and two or more persons that are ARAC members and are designated by the ARAC Chair. The ARG members should have the appropriate competence [should at least be Peer Evaluator or Team Leader] and satisfy the requirements of objectivity and impartiality and no conflict of interest exists,

2.7. An Accreditation Body (AB): Authoritative body that performs accreditation

3. GENERAL

3.1. All complaints and appeals must be submitted in writing, in Arabic or English and must be addressed to the ARAC Secretariat with a copy to the ARAC Chair.

3.2. The ARAC Secretary is responsible for following up on all complaints and appeals, in consultation with the ARAC Chair. At any time of handling a complaint or an appeal, the ARAC Chair may delegate her/his responsibility to the vice chair or to another member of the Executive Committee.

3.3. Once the complaint or appeal is received, the ARAC Secretary shall:

- a. Inform the following to the complainant or appellant within 5 working days, in writing:
 - The receipt of the appeal of complaint,
 - Whether the appeal or complaint does not comply with what is established in this procedure.
- b. Provide this procedure to the appellant or complainant. .

3.4. If any ARAC member receives a complaint in writing, against ARAC or an appeal against an ARAC decision, in writing, the ARAC member shall inform the appellant that he/she should submit his appeal directly to ARAC secretariat within 5 working days..

3.5. Upon receipt of a complaint or appeal, the ARAC Secretariat shall ensure that the substance of the complaint or appeal is clearly understood and documented, and that all relevant claims or statements made by the complainant, appellant and/or other interested parties can be properly authenticated in writing. Such authentication is essential before the complaint or appeal can be considered as a formal complaint and any investigation initiated.

- 3.6. Regardless of the results of the investigation of the complaint or of the resolution of an appeal, the complainant and the appellant, as well as ARAC, shall cover their own investigation costs.
- 3.7. The ARAC Secretary shall notify the complainant or appellant regarding the final result of the investigation, within 5 working days, after receiving the final results, according to the ARAC confidentiality requirements.
- 3.8. In case of any delay to respond to appellant or complainant, ARAC secretary should notify them for any due date for submitting the report.
- 3.9. The ARAC Secretary shall keep a detailed and complete record of the reception, handling and results of all of the complaints and appeals.
- 3.10. The ARAC Secretary shall submit a summary of all of the complaints and appeals that were addressed before each ARAC Executive Committee meeting. The ARAC Chair, or his/her delegate shall report on the complaints during each meeting of the ARAC General Assembly.
- 3.11. A period of 6 months is desirable for the resolution of appeals and complaint. This period may be extended when the CWG or AWG justify and report the reason to the Executive Committee.
- 3.12. .
If the complainant is unable to submit all necessary information within 30 days of the submission of the original information to enable the ARAC Secretariat to authenticate the complaint, the ARAC Secretariat shall close the complaint and inform the complainant of the closure.
- 3.13. The ARAC Secretary must keep the complainant or appellant informed throughout the complaints or appeals resolution process.
- 3.14. If the complaint is related to the chair or the secretary, the tasks of the constitution of the CWG and the follow up of the investigation is delegated to the MLA committee chair

4. COMPLAINTS AGAINST ARAC ACTIVITIES

- 4.1. For complaints directly related to ARAC activities, the ARAC Chair in consultation with the Executive Committee, shall designate a Complaints Working Group (CWG) to investigate the complaint, and shall designate a leader. ARAC Chair shall ensure that the composition of the CWG satisfies the requirements of objectivity and impartiality and no conflict of interests exists.
- 4.2. If the complaint has been made against ARAC Activity, the ARAC Chair or ARAC Secretariat, as appropriate (for example if the complaint effects the ARAC Secretariat then the ARAC Chair is appointed) in consultation with the Executive Committee, shall designate a Complaints Working Group (CWG) and assign a leader to investigate the complaint. The ARAC Chair

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will refer the complaint and all associated documentation to the assigned leader and CWG for investigation.

- 4.3. The composition of the CWG shall be accepted by the complainant, who may object to the designation if it considers that there is a conflict of interest.
- 4.4. The CWG shall carry out an investigation of the complaint and seek a solution to the topics involved. It is the responsibility of the CWG to ensure that the investigation is carried out in a timely manner. When necessary during the investigation process, the CWG and the complainant shall communicate directly.
- 4.5. The designated CWG shall keep the ARAC Chair and Secretary informed on the progress regarding the handling of the complaint. Except in the cases where the complaint is related to them.
- 4.6. When the issue has been investigated and as soon as possible, the CWG leader shall submit a written report regarding the complaint to the ARAC Secretary, using form FM016 "Appeal / Complaint Investigation Report Form", with a copy to the ARAC Chair, indicating if there is a basis for the complaint or not, the analysis that was carried out, and the recommendations regarding the resolution of the complaint.
- 4.7. The ARAC Chair, in consultation with the Executive Committee, shall decide if the recommendations are satisfactory in order to resolve the issue.
- 4.8. If the recommendations are not satisfactory, the Executive Committee may decide the recommendations to carry out or to request once again to the CWG to review the complaint based on the comments provided by the Executive Committee. Once the CWG drafts the final recommendation it shall send it once again to the ARAC Chair and Secretary for its approval.
- 4.9. The results of the complaint shall be informed to the complainant through the ARAC Secretary, who shall maintain and safeguard the resulting records.

5. COMPLAINTS AGAINST AN ARAC MEMBER ACCREDITATION BODY

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- 5.1. If a complaint is submitted against the activities of an ARAC member, by a third party, ARAC shall ensure that the complaint be handled first by the ARAC member against whom the complaint was lodged, in order for the complaint to be addressed by the AB's complaints procedure.
- 5.2. If the ARAC member has not been able to make satisfactory progress in the resolution of a complaint within a reasonable length of time (e.g. 6 months), the complainant has the right to refer the matter to ARAC for resolution using the ARAC handling of complains process.
- 5.3. To comply with the above, when a complaint is received, the complainant shall be asked to provide supported documented evidences within 5 working days, that the complaint was handled and resolved by the specific AB, and the corresponding process will be followed according to section 4. If no information is received about how the complaint was handled by the AB, the complaint shall not be considered valid.
- 5.4. When the ARAC Chair, in consultation with the Executive Committee, consider it necessary, they may ask the ARAC Secretary, to organize a peer evaluation, before the scheduled evaluation, in order to verify additional information if necessary or to provide to the appointed lead evaluator, before the planned peer evaluation, the details about a complaint received against an ARAC member, in order to verify additional information if it were necessary

6. APPEAL AGAINST AN ARAC DECISION

- 6.1. The appeal shall be submitted in writing, up to one month after the adverse decision was taken.
- 6.2. The appeal shall be considered in order to determine that the ARAC decision was carried out in an appropriate and competent manner, in accordance with the ARAC policies and procedures and taking into account the particular circumstances of each case.
- 6.3. The information regarding the actions, responses and behavior of the appelland and of ARAC shall be taken into consideration during the investigation.
- 6.4. All of the decisions are maintained until the results of the appeals investigation are accepted, except for the cases where the appeal is against a suspension or withdrawal of its signatory status, the signatory status shall remain in effect until the appeal investigation is finished.

- 6.5. In any moment during the process, the appellant may withdraw the appeal. If for any reason the appeal is withdrawn, a future appeal for the same reasons may not be considered.
- 6.6. The ARAC Chair, in consultation with the Executive Committee, shall designate an Appeals Review Group (ARG) and designate a leader.
- 6.7. The appellant may object the designation of some of the ARG members, in which case the ARAC Chair shall designate a replacement.
- 6.8. It is the responsibility of the ARG to obtain additional information that requires an investigation.
- 6.9. The qualification criteria for the appointment of the Appeals Review Group are the following:
- 6.9.1. Impartial representatives of ARAC MLA signatories and/or ARAC Peer evaluators from outside the appellant Accreditation Body to investigate the appeal,
 - 6.9.2. No member of the ARG shall have been involved in the AB's evaluation team that evaluated the appellant, or have a direct interest in the subject of the appeal, in any form,
 - 6.9.3. ARAC Chair shall ensure that the composition of the ARG satisfies the requirements of objectivity and impartiality and no conflict of interests exists.
- 6.10. The ARG leader may carry out an investigation as he/she deems convenient. In any case, the appellant may have the opportunity to present its case with supporting documentary evidence. The supporting documents shall be submitted at least 10 working days before the meeting/review.
- 6.11. The ARG may call on witnesses or experts to provide advice.
- 6.12. After considering the evidence, the ARG shall draft a recommendation with supporting reasons.
- 6.13. The ARG leader shall inform the ARAC Secretary in writing the conclusion and recommendation of ARG investigation and send a copy to the ARAC Chair.
- 6.14. The ARAC Chair shall inform the Executive Committee so it may review and approve the recommendation of the ARG.
- 6.15. The results of the ARG's work shall be informed to the involved

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parties in the appeal, using the form ARAC FM 016, in order for them to act accordingly.

6.16. The MLA Group decisions regarding the status of an MLA signatory can only be changed by the MLA Group. However, the Executive Committee may make recommendations to the MLA Group in order to support such change.

6.17. The decision made regarding the appeal shall be conveyed to the appellant by the ARAC Secretary, who shall maintain and safeguard the resulting records, shall be final and the appeal closed.,.

7. APPEALS AGAINST THE FINDINGS AND RECOMMENDATIONS BY A PEER EVALUATION TEAM

7.1. The appeal shall be submitted in writing, up to one month after the evaluation by a peer evaluation team or the incident. The appeal must include a detailed description of the points of disagreement.

7.2. The appeal will be considered in order to determine whether the findings during the peer evaluation, the status of review and closing non-conformities, or any adverse decision were carried out in an appropriate and competent manner, in accordance with the ARAC policies and procedures and taking into account the particular circumstances of each case.

7.3. The information regarding the actions, responses and behaviors of the appellant and the peer evaluation team shall be taken into consideration during the investigation.

7.4. The ARAC Secretary, in consultation with the MLA Group Chair, shall designate a Peer Evaluator Team Leader to analyze the information. The team leader shall have the appropriate technical competence and be independent to the appeal's issue to carry out the investigation of the appeal.

7.5. The appellant may object to the designation of the team leader, in which case the ARAC shall designate a replacement.

7.6. It is the responsibility of the team leader to obtain additional information that requires an investigation.

7.7. The designated team leader may call on witnesses or experts to provide advice.

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7.8. The designated team leader shall contact the parties involved and reach a consensus up to 15 working days from the receipt of the documentation. If a consensus is not reached within 15 working days, the team leader shall inform in writing the ARAC Secretary his/her conclusion and recommendation with a copy to the ARAC Chair.

7.9. The ARAC Chair shall inform the MLA Group so it may review and approve the recommendation of the designated team leader.

7.10. The results of the team leader's work shall be informed to the involved parties, using form FM 016 Record of an appeal and/or complaint investigation report form, in order for them to act accordingly.

7.11. The results of the appeal shall be informed to the appellant through the ARAC Secretary, who shall maintain and safeguard the resulting records.

8. CONFIDENTIALITY AND CONFLICT OF INTEREST

8.1. Any individuals nominated as members of a CWG or an ARG, or otherwise involved in the complaints and appeals process, that have a real or perceived conflict of interest or confidentiality issue with the situation presented shall excuse themselves immediately from any discussions or potential receipt of information regarding the specific complaint/appeal. ARG members shall have no commercial or other interest in the appeal being considered.

8.2. All persons involved shall take necessary measures to preserve the confidentiality of information obtained during the investigation. A complainant or appellant may request to remain anonymous to other parties involved in the investigation and during the investigation; appropriate steps shall be taken to preserve confidentiality.

8.3. For the purpose indicated above, the members of the AWG, the CWG or the designated peer evaluator team leader shall sign or have signed the FM 011 ARAC Declaration of confidentiality and impartiality