



## GAC 1.11:2019– Procedure for Appeals and Complaints

### Article 1. Terms and Definitions

1. **Appeal** – request by a CAB for reconsideration of any adverse decision made by the accreditation body related to its desired accreditation status.
2. Adverse decisions include:
  - a) refusal to accept an application,
  - b) refusal to proceed with an assessment,
  - c) corrective action request,
  - d) changes in accreditation scope,
  - e) decisions to deny, suspend or withdraw accreditation, and any other action that impedes the attainment of accreditation .
3. **Complaint** – Expression of discontent by a person or organization on the activities of an accreditation body or an accredited CAB in expectation of a response.

### Article 2. Appeals and Complaints

1. Appeals and/or complaints shall be registered at the Administrative service of GAC
2. An appeal shall be registered at GAC within one month from the date of the issue of the document being a subject to appeal to the appealing party.
3. A complaint shall be submitted to GAC within one month from the date of identification of the cause for complaint.

### Article 3. Contents of Appeals and Complaints

1. Submitted appeal or complaint shall contain the following information:
  - a) Identification data of a body/person submitted appeal or complaint (such as name and address), date, signature;
  - b) Subject of appeal or complaint;
  - c) Reasons for appeal or complaint;
  - d) Possible ways for solving the issue.
2. If there are object-lesson (proof evidences) available, they have to be submitted together with clime/application in order to review appeal or complaint.
3. If submitted appeal or complaint does not comply with the described requirements, the GAC has the authority to ask the body/person for additional information and to suspend revision of appeal/complaint until receipt of additional information.

### Article 4. Payment of Expenses

1. If the given evidences has proved true/vindicated, the expenses of an investigation/processing of appeal or complaint incurred by an appellant/complainant shall be covered by the party under complaint/appeal.
2. Expenses of appeals or complaints incurred by the activities of GAC shall be covered according to the existing legislation of Georgia.



## Article 5. Reaction to Appeals

1. It is unacceptable that the requirements and criteria defined in the corresponding ISO/IEC standards or the guiding documents of regional organizations of accreditation, or the internationally recognized accreditation requirements be a subject to appeal or complaint.
2. It is unacceptable to submit a complaint (not an „appeal”) if based on arguments a person/body considers that the assessment of the assessment team or the activities of any of its members is incorrect, incompetent or discriminating.
3. The following issues related to accreditation can be appealed:
  - a) Denial of granting accreditation;
  - b) Suspension of accreditation;
  - c) Withdrawal of the scope of accreditation or its part;
  - d) the request for additional corrective actions, refusal of application, refusal to continue the accreditation procedure
4. GAC is responsible for the receipt of the appeal, on collecting and verifying all the information proving the appeal.
  - Handling process based on:
    - a) Description of process of receiving, validating, investigating and deciding which relevant actions take in response;
    - b) Tracking and records all implemented actions;
    - c) Provide of Implementation in time relevant actions.
  - decision on appeals based on:
    - d) A proposal that includes reaction to an appeal based on submitted evidence and obtained information
    - e) Evidence and recommendation from person responsible for the appeal.
    - f) Proposals of the Accreditation Committee;
    - g) Results of revision of appeal by the Technical Advisory Committee, if applicable
5. To proceed an appeal the General Director appoints a person responsible for the appeal who studies the issue and submits proposals to the Accreditation Committee for discussion. The appointed person has to be independent from the responsibility concerning the activities under clime. GAC ensure that the appeals shall not be reviewed by a structural unit or person who/which was the appeal subject and submit the proposals to the Accreditation Committee for consideration.
6. GAC shall ensure that the appeal shall not be deemed to be reviewed by a structural unit or person with an appeal.
7. A person responsible for reviewing the appeal shall be responsible for collecting, verifying, reporting and documenting all necessary information.
8. If required by interested parties GAC ensure the availability of the appeal process to the interested parties.
9. GAC provides written information to the appellant on receipt of the appeal and submit the report and outcome of the work done on appeal.
10. GAC ensure that the work and decision concerning the appeal does not cause any discriminatory action against the appellant.
11. In case of necessity, with the purpose of gaining additional information the responsible person may send the issue to an appropriate technical Committee of the Accreditation Center.
12. GAC send the description of handling process for appeal to interested parties.



13. In case of necessity an authorized representative of the appellant party can be invited to attend the meeting of the Accreditation Committee when discussing the corresponding issue or sent the appropriate information to appellant.

14. The Accreditation Committee shall make records when discussing an appeal. The records should include date, names of participants, signatures, brief description of the case and decisions made by the Committee.

15. The Accreditation Center shall take decision on appeal in 25 working days from the date of entry.

16. The Accreditation Center shall inform the appellant in writing of the final decision within 5 days from making the decision.

17. The General Director of the Accreditation Center agrees with the final decision on appeal, which based:

- a) Proposal that includes reaction to an appeal based on submitted evidence and obtained information;
- b) Proposal of the accreditation committees;
- c) Results of revision of appeal by the Technical Advisory Committee, if applicable.

18. If more than one month is required for investigation of essential circumstances in relation to the case with the purpose of revision of submitted appeal the Accreditation Center is authorized to make decision to extend the term of revision of appeal with one month. Decision shall be made in 7 days from entry the appeal, and shall be informed to the appellant body/person

#### **Article 6. Appeals submitted on GAC Decision made on Appeal**

It is not admitted to submit a new appeal on the GAC decision made on appeal. If the appellant is not satisfied with the decision of GAC regarding the appeal, they can act according to the rules set in the legislation of Georgia.

#### **Article 7. Reaction to Complaints**

1. Complaint which is not related to the activities of the Accreditation Center shall be returned to the complainant by the administrative department in 10 days with indication of reasons of return.

2. The complaint relating to the activities of the GAC shall be registered and beginning the procedure for reviewing the complaint.

3. Decisions on complaints that are related to the completion of the accreditation criteria by the accredited CAB's are made in accordance with the rules and procedures of the Accreditation Center.

4. GAC shall ensure to send a copy of the complaint relating to the Accredited CAB's activity by e-mail and request relevant documentation. Handling of process of complaints based on:

- g) Description of process of receiving, validating, investigating and deciding which relevant actions take in response;
- h) Tracing and records all implemented actions;
- i) Provide of Implementation in time relevant actions;

5. If required by interested parties GAC insure provides access to the complaints process to interested parties.

6. GAC shall provide to the applicant's written information on receiving the complaint and submits the report and results of the work done on the complaint.



7. GAC ensures that the work and decision related to the review of the complaint does not cause any discriminatory action against the applicant.
8. GAC shall not admit that the complaint is discussed by the structural unit or the person on which the complaint is submitted.
9. When handling a complaint the General Director appoints a person responsible for the complaint who investigates the issue and submits proposals to the Accreditation Committee for discussion.
10. In case of necessity, with the purpose of gaining additional information the responsible person may send the issue to the corresponding technical Committee of the Accreditation Center.
11. In case of necessity, an authorized representative of the complainant party can be invited to attend the meeting of the Accreditation Committee when discussing the corresponding issue.
12. In case of necessity, the Accreditation Committee is authorized to invite the parties interested in the case as observers or GAC send the appropriate information to interested parties.
13. All parties involved in the complaint shall cooperate and assist the elimination of the reasons mentioned in the complaint.
14. When reacting to complaints they shall be studied taking into account their content but not what the complainant wishes or whom it refers to or by what reason it is submitted. Real circumstances shall be discussed fully and objectively on the basis of available information.
15. When discussing a complaint, records shall be made by the Committee that shall include date, names of participants, brief description of the case and decisions made.
16. The General Director of the Accreditation Center agrees with the final decision, which based on:
  - a) Proposal that includes reaction to an appeal based on submitted evidence and obtained information;
  - b) Proposal of the accreditation committees;
  - c) Results of revision of appeal by the Technical Advisory Committee, if applicable.
17. The Accreditation Center shall take decision on complaint in 25 days from the date of its entry.
18. The Accreditation Center shall inform the complainant in writing of GAC final decision within 5 days after making decision on complaint.
19. If more than one month is required for investigation of essential circumstances in relation to the case with the purpose of revision of submitted complaint the Accreditation Center is authorized to make decision to extend the term of revision of complaint with one month. The decision shall be made within 7 days from entry the complaint and shall be informed to the complainant body/person.

## **Article 8. Resubmission of Complaint**

The Accreditation Center admits revision of re-submitted complaint if new circumstances in relation with the case are identified.