

PROCEDURE FOR DEALING WITH APPEALS

1. Scope:

1.1 This document describes the procedure for handling appeals received from Conformity Assessment Bodies (both applicant and accredited CAB's) against adverse decisions taken by SLAB.

1.2 The procedure covers appeals by CAB's, against decisions taken by SLAB in respect of – refusal to accept an application; refusal to proceed with an assessment; corrective action requests; changes in scope of accreditation; decisions to deny, leave in abeyance, suspend, or forced withdrawal of accreditation; and any other action that impedes the attainment of accreditation.

2. Responsibility:

2.1 Primary responsibility for handling of appeals rests with the Director / CEO. Any other officer of SLAB may be designated as Staff Officer (Appeals) by the Director to assist him in such matters. He may also act as the convener (secretary) of the Appeals Committee appointed by the Council.

2.2 The Council of SLAB is responsible for the appointment of Appeals Committee(s) to investigate appeals on the recommendation of the Chairman and Director / CEO. The Council is responsible for the final decision on the subject of appeal.

2.3 Appeals Committee appointed by Council is responsible for considering the appeal and give its recommendations after thoroughly investigating the matter under consideration.

2.4 Director is responsible for forwarding the recommendation of the appeals committee to the Council after necessary review to ensure that the same is within the framework of SLAB rules and regulations. Director is also responsible for monitoring progress of action on appeals.

3. References:

SLAB Quality Manual - Clause No 7.10.

SLAB Act No 32 of 2005 – Section 20 (2)

ISO/ IEC 17011:- Section 7.10: Conformity Assessment – General requirements for Accreditation Bodies Accrediting Conformity Assessment bodies

4. Definitions:

4.1 Appeal: A request submitted by a client Conformity Assessment Body (CAB) to the SLAB for reconsideration of a decision taken by the SLAB affecting the attainment of Accreditation by the CAB.

4.2 Complaint: Expression of dissatisfaction other than appeal, by any person or organization to the SLAB relating to activities of SLAB or activities of an Accredited CAB with regard to accreditation where a response is expected.

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5. Procedure:

5.1 Receipt and Acknowledgement

5.1.1 All appeals against adverse decisions taken by SLAB shall receive due consideration. Appeals shall be addressed to the Chairman SLAB and all appeals shall be forwarded to SLAB within 30 days of the accreditation decision.

5.1.2 Director /CEO shall acknowledge the receipt of appeals from a CAB and shall maintain record pertaining to all appeals including important details covering date of receipt, name and address of the CAB, details of appeal, outcome and final disposal of appeal.

5.1.3 The Director /CEO shall make arrangements to gather and verify all relevant information to evaluate the validity of the appeal. Appeals examined and evaluated as above shall be taken up for further action with the approval of the Chairman, SLAB. If a prima-facie case exists and the appeal appears to be valid and having some substance, they are taken up for further action, with the approval of the SLAB Council.

5.2 Investigation of appeal and Recommendations

5.2.1 The Governing Council of SLAB shall appoint an Appeals Committee comprising of 2-5 persons, depending on the severity and complexity of the appeal to investigate it and recommend actions to be taken. The members of the committee shall be appointed from the following personnel given in the priority order.

- a) Chairman of the Governing Council as the Chairperson of the Appeals Committee.
- b) One member representing the technical area in question
- c) One additional member of the Governing Council
- d) Two members representing the industry, Chambers, Professional bodies, Associations and/or reputed individuals.

The selected members shall be impartial and relevant to the scope covered by the appeal, as much as possible and impartiality will be maintained as per GN-PR-03 when selecting members for the committee.

5.2.2 The appeals committee shall consider the appeals taking into account all relevant information and facts available. Representative from the Accreditation Committee involved in the decision appealed against, may provide technical inputs but shall not be involved in the formulation of recommendations of the Appeals Committee.

5.2.3 The Appeal Committee shall seek clarifications and information from all appropriate sources. If considered necessary the Committee shall ask SLAB to depute its staff or an assessor or an expert to the CAB to investigate the matter. All expenses for such visits shall be borne by SLAB.

5.2.4 The Appeals Committee may recommend a fresh assessment, which shall be arranged by the Additional Director and the designated Authorized Officer. SLAB shall not levy fresh charges to the CAB.

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5.2.5 On the basis of the fresh assessment, the relevant Accreditation Committee shall give an independent view on the status of the CAB's quality management system and technical competence as well as on the subject matter of the appeal.

5.2.6 Based on the data gathered through any of the above stated means, the Appeals committee shall form its recommendations and along with detailed report submit the recommendations for the consideration of the Governing Council of the SLAB, within a reasonable time, for a decision.

5.2.7 When an appeal is submitted against a nonconformity raised by the assessment team, the Director/CEO or designee will appoint an expert committee consisting two or more members in the relevant field as appeal investigation committee who were not involved in the assessment. Relevant Technical Manager/ Deputy Technical Manager functions as secretary to this Committee.

The Appeal Investigation Committee will investigate the issues and if required, visit to the CAB for verification and collection of facts may be arranged.

The recommendation of the appeal investigation committee will be informed to the CAB and request to acknowledge with agreement or disagreement against the recommendation. The details and the recommendations will be submitted to the Council for information.

If the CAB does not agree, it will be handled through an Appeal Committee appointed by the Council as described in this procedure.

5.3 Decision on Appeals

5.3.1 The Council shall take decisions on the appeals submitted by CAB's based on the recommendation of the Appeals Committee.

5.3.2 Decision of the SLAB Council, shall be final and the CAB shall be informed accordingly.

6. Records:

6.1 Appeals file maintained by the Director (or staff officer designated by D/CEO) where all correspondence in respect of complaints received, decisions by Chairman and Council, and any other relevant documents are filed chronological order (GN-FL-02).

6.2 Agenda and Minutes of Appeals Committee meeting (GN-FL-02).

7. Reference Documents:

7.1 GN-RE-02: Appeals Register

7.2 GN-FL-02: Appeals File

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