

## QP7: APPEALS AND COMPLAINTS PROCEDURE FOR THE BIM CERTIFIED QUALITY AQUACULTURE (CQA) PROGRAMME

### PURPOSE

This procedure defines the method by which Complaints about the BIM CQA Programme are handled.

### 1. SCOPE

**Complaints about the BIM CQA Programme will be categorized and managed according to type:**

#### Type 1) Complaints about Standards Development or CQA Standards

All formal complaints on the development process or the specific requirements of the BIM CQA Standards shall be considered if submitted in writing and directed to the CQA Programme Lead.

The CQA Programme Lead will acknowledge receipt of the Complaint within five (5) working days and will discuss the details of the Complaint with the Technical Advisory Committee Chair and the CQA Oversight Committee Chair.

BIM's CQA Programme Lead will contact the Complainant by writing, outlining the outcome and decision of the CQA Oversight Committee in relation to the complaint raised.

Any changes to the Standards are made based on the published Program of Work, by the Technical Advisory Committee (TAC), following the Scheme remit and Terms of Reference for the TAC.

#### Type 2) Complaints about 'Misuse of the BIM CQA Certified Mark'

Complaints concerning the misuse of the BIM CQA Certified Mark which are submitted in writing will be managed by the BIM Programme Lead. Details of the complaint will be recorded including the product type, the issue with regards use of the mark and the associated organization. The BIM Team will complete a trace-back to the relevant organization and certification body and either complete the investigation or direct the certification body to conduct an investigation and report on the extent of the issue.

A breach in the terms of the use of the BIM CQA Certified Mark may lead to cessation of use of the mark. The BIM Team will inform the Aquaculture Division Director when the

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complaint has been closed out and the corrective actions that arise as a result of the complaint.

**Type 3) Complaints about ‘Certification Programme Operations and Certification Body Decisions’**

Complaints concerning the operation of the BIM CQA Program and/or Certification Body decisions which are made to BIM in writing will be facilitated by the designated BIM CQA Team member, who will be responsible for acknowledgement and investigation of the complaint. Certification Bodies will be responsible for managing complaints about their operations.

If a client or applicant or external party, wishes to complain against any decision of a Certification Body, under these Rules, the client or applicant or other party shall, within 14 days of being officially informed of the decision, give notice to the relevant Certification Body of their wish to appeal the decision and give the grounds for doing so.

The Certification Body will instigate its own Complaints Review Process and inform the Complainant and BIM CQA Team. If the Complainant is still not satisfied with the outcome they have the right to raise the issue with the Certification Body Appeals Panel. The Appeals Panel will follow procedures outlined in their Terms of Reference.

The Appellant, the Certification Body, and their associated Accreditation Board will be informed in writing of the Appeals Panel decision. The Certification Body will be required to review its certification decision if the Appeals Panel finds in favour of the Appellant and submit its findings to its Accreditation Board and to the BIM CQA Team.

**Complaints Related to the Certification Body**

Certification Bodies shall have a Complaints and Appeals Procedure and a Complaints Register that incorporates the following specifications.

Complaints/Formal Concerns/Appeals relating to the certification services provided by the CB will initially be directed to the Senior Manager within the CB concerned who will deal with the Complaint/Formal concern /Appeal in accordance with their Accreditation Body Requirements.

Complaints/Formal Concerns/Appeals may be received by either written or verbal means. However, verbal complainants will be requested to submit a written complaint. For complaints received by telephone, the call will be noted on the CBs complaints register and

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the caller also requested to submit a written complaint. Complaints received by writing shall form basis of the complainant's file.

The CB, on receipt of a complaint or appeal will raise a Complaint/Appeal Action Form and attach this to the written and / or copy of telephone log of the Complaint/Appeal and allocate a Complaint/Appeal Number. Details of the Complaint/Appeal, name and contact details of Complainant and date received will be kept recorded in the Complaints/Appeals Register by the CB's Certification Systems Manager or an equivalent and copied to the Senior Management Team of the CB.

The CB shall acknowledge the Complaint/Appeal in writing within 5 working days and allocate responsibility for investigation and action.

The CB will allocate a nominated Senior Manager to monitor the progress of the Complaint/Appeal Investigation through to close out. This nominated manager will keep the Complainant fully informed of the anticipated timescale to complete the Complaint / Appeal Investigation. Where this involves formation of a Review Panel the Complainant shall be informed of this and the anticipated timescale.

The Complainant shall be updated on the progress of the Complaint / Appeal Investigation at least every 14 calendar days.

On completion of the Complaint / Appeal Investigation, the outcome will be signed off by the CB's General Manager and recorded in the Complaints/Appeals Register. The nominated Manager will advise the Complainant in writing of the outcome. If the Complainant is not satisfied with the CB's investigation they have leave to apply to the BIM CQA Programme Lead and to the CB's Accreditation Body to seek a Full Appeals Review.

A review of the Complaints/Appeals Register and status of outstanding Complaints/Appeals will be subject to regular audit as part of the Internal Audit Programme of the CB and will be included in the CB's Quality System and Management Review Reports.

Accredited CBs shall have strict guidelines on what should be included in an Appeal Procedure to a Certification Decision that they will have made for an Applicant to Accredited Certification Programmes like the BIM CQA Scheme. The following list is what BIM would expect an approved CB to follow and if the CB deviates from these guidelines significantly this will need to be discussed and approved by BIM CQA Programme Lead.

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- An Applicant shall have the right of appeal against decisions made by the CB Certification Process.
- Appeals shall be made in writing by the Applicant to the CB initially, within 14 calendar days of being advised of the decision that they wish to appeal.
- The CB will acknowledge the Appeal and shall have the right to conduct Initial Investigations to check the merits of the Appeal.
- The CB should appoint a Senior Manager to oversee the Appeal Investigation and if they agree with the Appeal then the CB will correct the erroneous decision.
- If the Senior Manager does not concur with the Appeal then an Independent Panel, which can include a BIM CQA Appointed representative, is convened to handle the Appeal.
- The CB, including their Programme Manager, BIM CQA Representative and the Raiser of the Appeal are entitled to attend the Appeals Panel and present information to the said Panel.
- This Appeals Panel is independent and will make its ruling on the information supplied during the hearing.
- The Appeals Panel will convene within 1 calendar month of the receipt of the Appeal.
- The ruling of the Appeals Panel is binding and final on the CB and the appealing participant. The CB should discuss any outcome of the Appeals Panel with their Accreditation Board if applicable.

#### 4. RECORDS

The Complaints Register and copies of correspondence relative to Complaints will be made accessible for Internal Audit and to Authorised External Agencies.

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AMENDMENT LOG

DATE	ISSUE	AMENDMENT	AMENDED BY
August 2017	1.1	Added clarification: Any changes to the standards are made based on the published program of work, by the TAC, following the scheme remit and terms of reference for the TAC.	Vera Flynn
April 2018	1.2	Included facility for Complaints against Standard Development Procedure and Standard. Added more specificity to clauses for CB Complaints	Vera Flynn

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