## 1. Purpose & Scope:

This procedure aims to describe the steps adopted by RACS Quality for:

- Complaints Handling.
- Handling of Appeal against a certification decision.
- Handling of Request of Review an evaluation decisions.

This Standard Operating Procedure applies to all parties that are involved in the complaints, appeals and review request procedure, including the concerned RACS customer, RACS Quality Unit, the concerned staff members of the Operations Department and the Appeals and Review Committee members.
All RACS clients have the right to make a complaint, appeal against any certification decision or request a review of any evaluation decision RACS may take if they can bring forward good arguments. This Standard Operating Procedure outlines the principles and responsibilities with regards to complaints, appeals and review requests.

## 2. Responsibilities:

It's the responsibility of Managing Director, Quality Assurance Manager, to ensure the proper setting, implementation and communication of this document.

## 3. Definitions:

- **Complaint:**

  A "Complaint" means expression of dissatisfaction by individual(s) or organization(s) (including certified organization(s)) with an issue related to RACS or organizations certified by RACS in writing. Specifically, the following are the issues that could be handled under this process:

  1) Certification services of RACS;

  2) Organizations (Product & facility) certified by RACS.

- **Certification Decision:** A decision taken by designated staff to grant or deny initial certification, confirm certification after surveillance audit, renew certification, extend a certificate, suspend a certificate, lift the suspension or to decertify. A Certification Decision becomes effective with immediate effect.
- **Evaluation Decision:** A decision taken by designated staff to confirm non-conformities identified during an audit, confirm corrective measure proposals or objective evidence, verify objective evidence during a follow-up audit without suspension, not to suspend for a major non-conformity. An Evaluation Decision becomes effective with immediate effect.
- **Appeal:** A request to review and reverse a Certification Decision. Appeals against Certification Decisions are decided on by the Appeal/Review Committee
- **Requests for Review:** These are requests to review an Evaluation Decision.
- **Appeal/Review Committee:** The Appeal/Review Committee is an internal quality control body that objectively supervises the decision-making process within RACS considering any raised argument and objection by the involved parties. Thus, it ensures that operations are exercised with due diligence and uniformity in interpreting the Standards. As a company-internal body its role is not that of an external and/or official arbitration body nor a court-like institution Process.
- **QAM:** Quality Assurance Manager
- **QP:** Quality Procedures
- **MR:** Management Representative
- **QM:** Quality Manual
- **QMS:** Quality Management System
- **SOP:** Standard Operating Procedure
- **QML:** Quality Master List
- **QF:** Quality Form



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- **C. A.**: Corrective Actions
- **P. A.**: Preventive Actions

## 4. Procedures:

### 4.1. Complaints-handling process

#### 4.1.1. Acknowledgement of Complaint/Appeal/Review request receipt by RACS

- Complaints must be submitted through written texts which can **be submitted after a reason for complaint has arisen , or after receipt of the Certification Decision or Evaluation Decision**.
- If no Complaint, Appeal or Review request is received within this timeframe the decision becomes final and may not be appealed against, and the complaint become declined.
- RACS will not respond to anonymous requests/forms without clear contact information.
- After receipt of the request in writing, RACS shall investigate whether it relates to the certification activities and scopes for which RACS is responsible, and decide the acceptance of it.
- Where the request is identified and accepted to be investigated, RACS shall acknowledge the same to the complainant/appellant or the concerned person submitted the request.
- In case where the request is not accepted, RACS shall give notice to the complainant of it with the reason(s), and guidance on how to proceed further with this request.
- In order to file either a complaint or appeal or review to RACS, the affected customer/organization has to submit a completed form (RACS /REC/17 RACS Complaints FORM & RACS-GER/REC18 Appeals &Review Form) to the Quality Assurance Manager at RACS via email to info@racs-eu.de; the form can either be filled directly through RACS's website (www.racs-eu.de), or to be requested through the above email or immediately handed by RACS QAM.
- If request is received by any staff member, he will be forwarded to the Quality Assurance Manager for his review and action, and then related records will be updated by QAM.
- QAM who will conduct an initial evaluation of the request and decide if the submission is accepted or denied **within 7 working days**, based on whether the request contains a valid reason to file the complaint /appeal /review request.
- Once receiving a form, the QAM will assure on whether the request contains an actionable Review or Appeal (either against an Evaluation or a Certification decision) or if the request should be dealt with as complaint.
- An Appeal or Review request does not alter the effectiveness of the Certification or Evaluation decision, unless the Appeal/Review has been granted by the Complaint/Appeal/Review Committee in its final decision. All restrictions applicable to a customer as a consequence of a Certification Decision of suspension remain in effect during the period of suspension, regardless of the outcome of an Appeal.
- The QAM **maintains** a log of all Complaints, Appeals and requests for Reviews and informs the Appeal or Review Committee in order to move the process forward.
- RACS shall convey the information of complaint to the scheme owner (ESMA), other notified bodies recognized by ESMA, government authorities instructed by ESMA (Municipalities, Ministries, etc.) or any other interested parties (related applicants/Clients) This info will be shared with the scheme owner (ESMA) in a detailed manner through following supportive document: **RACS-GER/REC17 Complaints Handling Records as stated in RACS-GER/SOP39 Dissemination of Significant Information to the Scheme Owner and other Concerned Parties.**

**4.1.2. Reasons of Complaint/Appeal/Review Request:** All requests must state the reason(s) for complaints in the Complaints form (RACS-GER/REC17), and appeals/review requests in the appeal/review handling form (RACS-GER/REC18) and need to be supported by information and evidence.

IMPROTANT: Please note that a Complaint, Appeal or request for Review will only be accepted if it is accompanied by or based on clear and credible information in accordance with below reasons.



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In case request does not contain a convincing reason, QAM will contact the concerned appellant for more clarification on convincing reason for complaining or appealing.
Reasons may include, but are not limited to:

- A complaint is about conformity assessment and/or appeals and the way that the conformity assessment system functions.
- A complaint about RACS Client, RACS Certified product, etc….
- Level of service quality or delivery.
- Details about the complaints about the conformity assessment activities
- Dissatisfaction, whether it is from person in the certification body, or the certification activities of the certification body, or administrative processes, finances processes, etc….
- Decisions made based on immaterial grounds;
- Decisions based on immaterial information, or information for which there is no credible basis. In general, hearsay is treated as information for which there is no credible basis;
- Failure to consider presented, relevant information in reaching a decision;
- Reasonable perception of bias against the appellant;
- Unreasonable delay in the decision making process;
- Prejudicial procedural irregularities in reaching the decision;
- Disputes about facts relevant to the decision;
- Disputes about interpretations relevant to the decision.
- Appeal for certification decision to a specific application
- Request for review for a specific evaluation decision for a specific application
- Other specific reasons.
- An allegation against RACS policy or RACS Compliance with standards.

**NOTES:**

- For complaint (s) related to certified organization(s) (Product & facility), a direct approach to the organization(s) in question is recommended.
- A confidentiality agreement with the organization(s) may not allow RACS to reveal documents or sensitive information to the complainant, however clear information and response should be provided to complainant.
- RACS does not disclose any personal information without consent of the person(s) in question, but may refer the matter to the organization concerned at an appropriate time to proceed with the complains-handling process further. Any specific person of the organization concerned may be identified during the process.

### 4.1.3. Investigation and preparation of actions to be taken and response

After accepting the complaint/appeal/review request, QAM shall nominate the individual(s) previously not involved in the subject of the request complaint, and instruct him/her (them) to investigate and validate the subject of the complaint.

In case where the complaint is related to an organization (product & facility) certified by RACS, RACS shall refer the matter to the organization at an appropriate time in order to collect and verify all the necessary information.

The nominated individual (s) shall investigate the matter, and decide actions to be taken by RACS and a response to the complainant/Appellant/ or person requesting the review. If applicable and found obligatory, Quality Form will be filled by Q.A.M. in case of any detected departure, to evaluate the situation, analyze the cause and proposing C.A. and P.A. QF will be handed over to the concern person/department responsible on causing the Complaint/ Appeal.



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#### 4.2.2 Communication of decision

RACS shall communicate the decision on the response to the complainant.

Where the complainant agrees with the decision, RACS shall give notice to the complainant/Appellant of the end of the Complaints handling process.

#### 4.2.3 Request of re-examination

In case where the complainant/appellant/person requesting review disagrees with the decision, he may request RACS to re-open the investigation of the matter within 30 days after the receipt of the decision. Such a request can only be accepted if the request is accompanied with additional information, such as new findings of the fact.

After receipt of such a request, RACS shall re-open the investigation of the matter and give notice to the complainant/appellant/person requesting review of further decision(s) in accordance with the above mentioned process.

#### 4.2.4 Convocation and deliberation in Complaints Committee

If the complainant disagrees with further decision(s) based on the first investigation or after investigation is re-opened, and requests further investigation, RACS shall convoke the **Complaints Committee**.

The Committee consists of the neutral outside members previously not involved in the subject of the complainant. At the Committee, deliberation shall be made on the results of the investigation/re-investigation and on actions to be taken, and response based on the decision of the Committee shall be communicated to the complainant/appellant/person requesting review. This is the end of the process.

**IMPORTANT: Complaints Committee will make a decision within 30 working days after receiving the disagreement of the last decision communicated by RACS QAM to the concerned person**

#### 4.2.5 Complaints Committee:

**A. The composition of the Complaints Committee is the following:**

- Managing Director.
- The RACS Quality Assurance Manager AM (or his/her delegate if he is involved in the certification process).
- Conformity Manager (or his/her delegate if he is involved in the certification process).

**B. In case of HALAL Certification decision , one personnel will be added as following :**

- Islamic affairs expert (or his/her delegate if he is involved in the certification decision)

**C. In all cases:**

- Operations manager attends in order to document the process and moderate the 4.2.5 Complaints Committee meeting.
- RACS staff member(s) who have the information about the details of the specific case under compliants will be present to demonstrate the case details in front of Complaints Committee.
- A representative of the organization/person who raised the Complaints request should be present as well during the Complaints Committee gathering.
- The Complaints Committee may invite other involved staff members in order to get background information to the case or external consultants to make submissions to the Complaints Committee if they deem it necessary (case by case).

**D. Terms and Conditions of Complaints Committee:**

- Every member should be present in the committee gathering. This will constitute the quorum for Complaints Committee meetings (ei. 3 personnel out of 3( For all scopes including HALAL).



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- Certification knowledge is defined as 1 year of experience in Certification.
- Any member involved in the certification decision will be excluded from the Complaints Committee in order to avoid any conflict of interest. His delegate will be replacing him in attending the committee and participating in the decision.
- At the discretion of the staff member responsible for certification decision or evaluation decision in front of the Complaints committee, the case should be presented to the Complaints Committee either by the responsible certification analyst of the case or the certifier him/herself (ei. The staff members directly involved in the certification or evaluation process).
- In case a Complaints Committee member opts to resign from the Complaints Committee or otherwise ceases to be a member, the QAM will nominate a replacement according to the above listed criteria to the Managing Director, who decides on the assignment of the new committee member.
- During a Complaint , only information which existed and was presented at the time the decision was made will be considered.
- Additional credible information presented and accepted during a Complaint, which was not present at the time the original decision was taken and could have led to a different outcome in the original decision, will result in a recommendation to the Operations Department to re-open the case and take into consideration the new information for a decision (within the time frame mentioned above for accepting an Complaint/appeal ).
- In Case of HALAL Scope, Islamic affairs expert involved in the Complaint should not be in any way involved in the audit process, evaluation or certification decision
- **Voting :**
  - In all scopes other than HALAL, Complaints Committee decides on the presented cases by simple majority vote.
  - For the HALAL Scope; Final decision on Complaints shall be taken in consensus, if not obtainable, the Islamic Affairs personnel has the casting vote.
  - The committee makes decisions according to the procedure outlined in this document and all of its proceedings are documented by the QAM in the RACS-GER/REC17 Complaints handling form.
- Staff members related to certification decision and evaluation decision, Operations manager, representative of the organization, external consultants and any other attendees rather than the committee members have no votes when deciding if the appeal/review will be granted.
- **Outcome of committee decisions** : A decision can have the following outcomes:
  - **Original decision overturned**: This means that the decision taken against a complaint will be changed , Operations Manager will act as indicated by the decision. The effect of this changed decision is explained to the complainant with the communication of the decision.
  - **Original decision confirmed**: This means that the decision taken against a compliant or decision being complaint against is confirmed and will not be changed. The Complaints Committee will recommend to the Operations Manager if any deadlines of the consecutive certification workflow need to be extended due to the proceedings of the appeal/review.

#### 4.2.6 Appeals/Review against Decisions of the Complaints Committee

Appeals against decisions made by the Complaints Committee, and review request against RACS decisions will be heard by the Appeal/Review Committee only if the appellant can demonstrate a significant factor affecting the final certification decision that has been made, and Indicate reasonable grounds highlighting why the Appeal/Review Committee could come to a different conclusion on the same facts the Complaints Committee was confronted with.

**A. The composition of the Complaints Committee is the following:**

- Managing Director.
- Member of impartiality committee which is the one representing the clients side.
- Member of impartiality committee which is the one representing Government authority.

**In case of HALAL Certification decision , two personnel will be added as following :**

- Islamic affairs expert (or his/her delegate if he is involved in the certification decision)



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- Member of Impartiality Committee , who is the one acting a Islamic Affairs personnel

**B. Terms and Conditions of Appeals/Review Committee:**

- Appeals against decisions made by the Complaints Committee are not automatic and all requests for such appeals are evaluated according to the criteria mentioned above. Only when the Appeal/Review Committee is convinced that one or more of these criteria apply the appeal will be heard.
- Please note also that a decision taken by the Appeal/Review Committee is final and that no Appeal will be accepted to this decision.
- After the appeal outcome is issued and appeallant is notified, appealant is informed that he is able to address related accreditation bodies in case of dissatisfaction.
- Voting :
  - In all scopes other than HALAL, Complaints Committee decides on the presented cases by simple majority vote.
  - For the HALAL Scope; Final decision on Complaints shall be taken in consensus, if not obtainable, the Islamic Affairs personnel has the casting vote.

### 4.2.7 Publication of Complaints/Appeals/Review Requests

RACS shall determine, by mutual consent between the concerned person (complainant/appellant or requesting review) and RACS, whether and, if so to what extent, the subject of the complaint/appeal and its decision(s) shall be made public. Where the complaint is for an organization (product & facility) certified by RACS, such decision shall be made also in consultation with the organization.

### 4.2.8 Correction and corrective action

RACS shall take appropriate corrections and corrective actions regarding the complaints accepted in accordance with the actions determined by RACS to be taken. All these actions shall be documented by the QAM in the RACS-GER/REC17 Complaints handling form and RACS/REEC/18 Appeal/Review handling form



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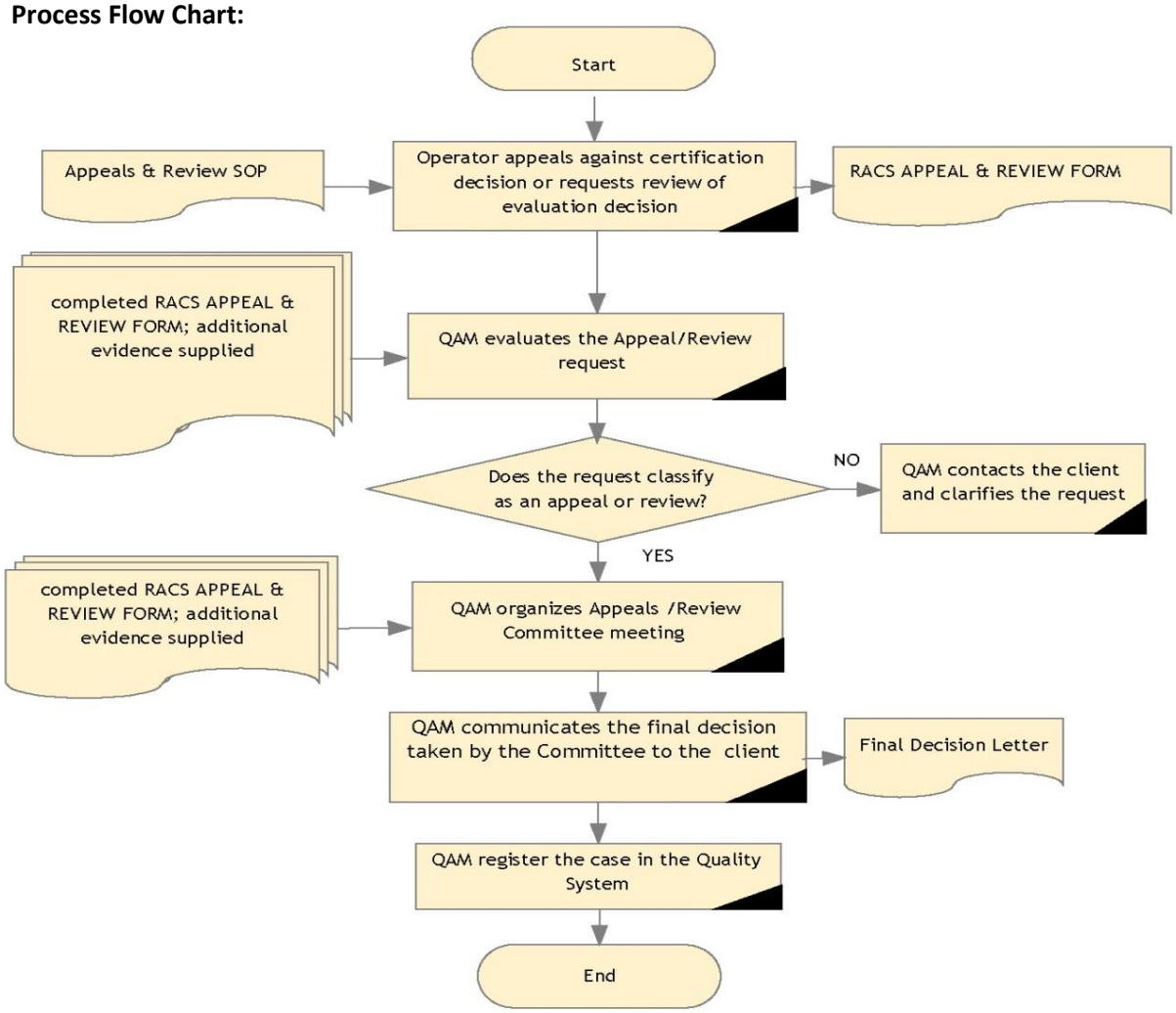
## 5. Process Flow Chart:



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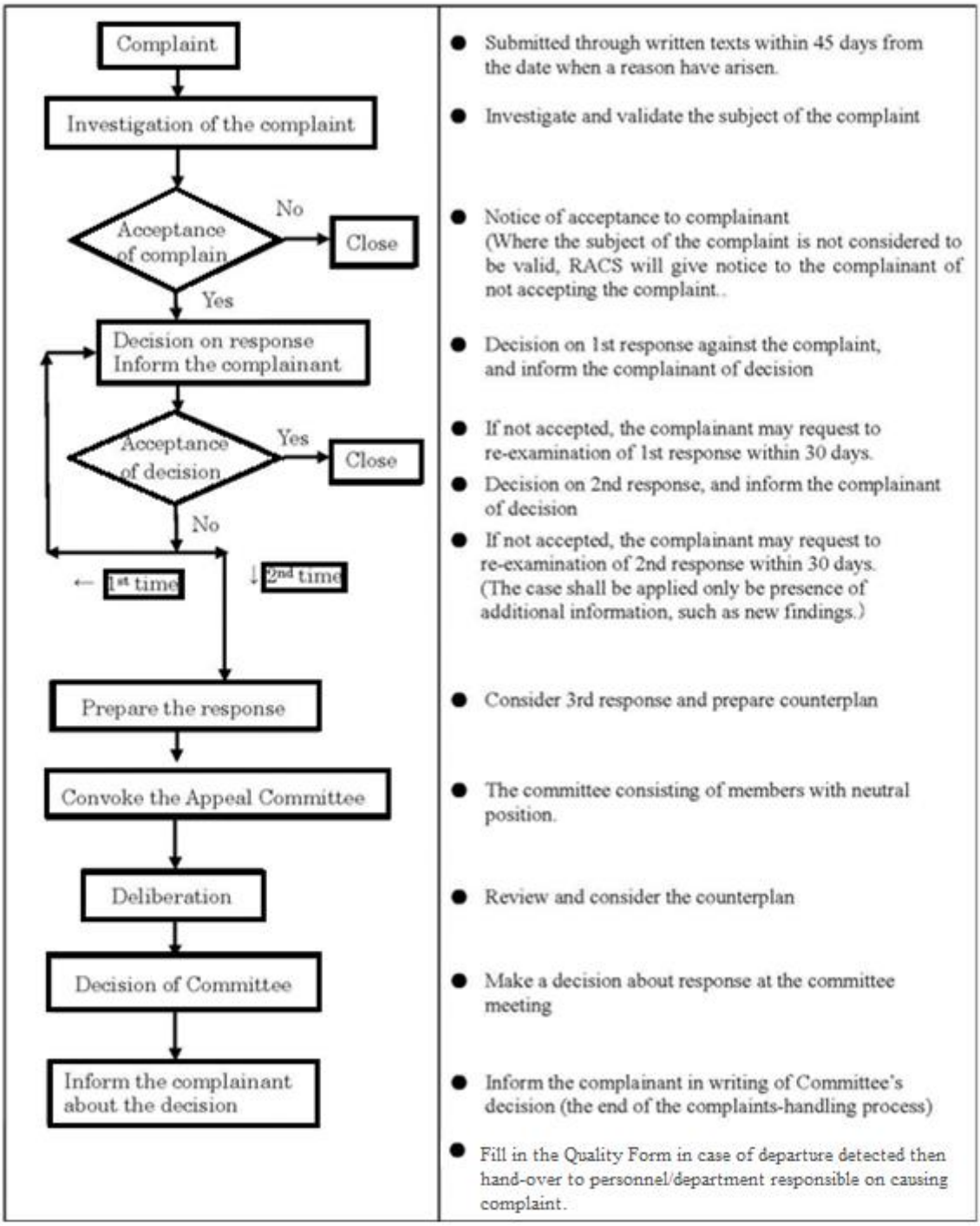
**6. Process Map:**

**Flowchart of Complaints-handling processes**



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## 7. Related Forms:

Listed Agreements, SOPs, Records related to the SOP26 as follows:

| | |
|---|---|
| Quality Manual | RACS-GER/QM03 |
| Quality Master List | RACS-GER/REC153 |
| Complains Handling form | RACS-GER/REC17 |
| Appeals & Review Handling Form | RACS-GER/REC18 |
| Customer Feedback forms | RACS-GER/REC26 |
| Customer Processes | RACS-GER/SOP13 |
| Clients Database Record | RACS-GER/REC31 |
| Clients Files Content | RACS-GER/REC16 |
| Schedule of Fees | RACS-GER/REC46 |
| Quality Form | RACS-GER/REC58 |
| Final Decision Status Form | RACS-GER/REC71 |

## 8. References

- ISO/IEC 17065, Conformity Assessment - Requirements for bodies certifying Products, Processes and services.
- ISO/IEC 17021, Conformity Assessment — Requirements for bodies Providing audit and Certification of management systems.
- UAE. GSO 2055-2 Halal products- Part two: General Requirements for Halal Certification Bodies.
- GAC Document: FAD- 4.0: Supplementary accreditation requirements for Product certification Bodies.
- GAC document: FAD-12: Supplementary accreditation requirements for Halal certification Bodies , in addition to applicable scheme and Standards
- R105: Requirements when making reference to A2LA Accredited Status
- R307: General Requirements Accreditation of ISO /IEC 17065 Product Certification Bodies
- R334: Specific Requirements: HALAL Certification Body Program.
- IAF Mandatory Document: Determination of Audit Time of Quality and Environmental Management System.
- ISO/IEC 17000, Conformity Assessment — Vocabulary and general principles.
- ISO/IEC 17020, Conformity Assessment— Requirements for the operation of various types of bodies performing inspection.
- ISO/IEC 17025, General requirements for the competence of testing and calibration laboratories.
- ISO17067, in combination with ISO Guide 28 and ISO Guide 53
- ISO/IEC 17030, Conformity Assessment — General requirements for third-party marks of conformity.
- ISO Guide 23:1982 Methods of indicating conformity with Standards for third-Party certification Systems
- ISO Guide 27:1983 Guidelines for corrective action to be taken by a certification body in the event of misuse of its mark of conformity
- General Requirements for Notified Bodies issued by Emirates Authority For Standardization and Metrology (ESMA).
- RACS Quality Manual RACS/QM/01
- All controlled QMS records-Please refer to RACS-GER/REC01-Quality Master List.



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