

	<b>UGANDA NATIONAL BUREAU OF STANDARDS</b>  <b>CERTIFICATION SCHEME</b>	Document No:  <b>CERT/OP/06</b>
Document Title:  <b>PROCEDURE FOR HANDLING OF COMPLAINTS, DISPUTES &amp; APPEALS</b>		Issue No: 03 Revision No: 02 Effective Date: 2/01/2019

REFERENCE DOCUMENTS	
Document Number	Document Title
Act No.1 of June 1983	Uganda National Bureau of Standards Act
ISO/IEC 17065	Conformity Assessment - Requirements for bodies certifying products, processes and services
ISO/IEC 17021-1	Conformity Assessment - Requirements for bodies providing audit and certification of management systems
Statutory Instruments Supplement No. 25 of September 1995	The Uganda National Bureau of Standards Certification Regulations
ISO 19011	Guidelines for Quality and/or Environmental Management System Auditing
CERT/QM/01	UNBS Certification Quality Manual


Approved by:   Deputy Executive Director/Standards	Approval Date:  <b>2<sup>nd</sup> January 2019</b>
Reviewed by:  Manager Certification Department	
Prepared by:  Head Audit Planning and Accreditation Management	

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## 1. Scope

Confidence in certification services is safeguarded when complaints and appeals are processed appropriately. This procedure applies to complaints and appeals arising from the provision of certification services by UNBS.

## 2. Purpose

The effective responsiveness and resolution of complaints and appeals is an important means of protection for the UNBS certification body, its clients and other users of certification services against errors, omissions or unreasonable behaviour.

The purpose of this procedure is to guide on how to handle complaints and appeals and actions undertaken to resolve them.

This procedure and the complaints and appeals form CERT/F16 shall be made publicly available on [www.unbs.go.ug](http://www.unbs.go.ug)

## 3. Definitions


In addition to the definitions given in the UNBS Certification Manual, the following definitions shall apply:

- a) A *complaint* refers to the expression of dissatisfaction by any person or organization relating to certification activities or certified clients, where a response or resolution is expected.
- b) An *appeal* refers to a request by a client for reconsideration of a decision made.

## 4. Responsibility

The Heads of Division and the Manager Certification Department (MCD) shall be responsible for implementing this procedure.




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## 5. The complaints handling process

### 5.1 Complaints received by UNBS against certified clients


- 5.1.1 Any valid complaint received by UNBS about a certified client shall be referred to the certified client in question as deemed appropriate.
- 5.1.2 Unless they formally consent to disclosure, the complainant shall be actively protected from disclosure by UNBS.
- 5.1.3 UNBS may give the client an opportunity investigate and ensure that appropriate corrections and corrective actions are undertaken to resolve the complaint raised against them using their internal complaint handling procedure.
- 5.1.4 UNBS may also conduct short notice or unannounced surveillance audits to follow up an investigation of a complaint. In which case, the audit team selection shall be done impartially.
- 5.1.5 UNBS shall provide the complainant with results/report of the complaint resolution.
- 5.1.6 Any complaints received directly by the certified client shall be handled as per their procedure. Should they fail to resolve the complaint, the complainant may appeal to UNBS for action.
- 5.1.7 Should the client fail to address the complaint to the satisfaction of UNBS within the agreed time, action shall be taken as per the procedure for suspension CERT/OP/13.
- 5.1.8 The certified company shall keep records of complaints made known to it and take appropriate action with respect to the complaints and any deficiencies found in products/services. The records of complaints regarding those aspects of the products or services covered by the permit shall be made available when requested by UNBS.
- 5.1.9 UNBS shall during the investigation of the complaint consider the effect of such complaint on the integrity of the client's certified management system and verify the effectiveness of the management system, including follow up during any subsequent audit(s).

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## 5.2 Complaints from users of UNBS certification services

- 5.2.1 Any person or organisation may complain to UNBS about the operation of the certification activities and the service provided.
- 5.2.2 Complaints may be submitted verbally by telephone or walk-in complainants or in writing to UNBS by hand, post mail, or e-mail. Any UNBS staff member may receive a complaint regarding the UNBS certification activities.
- 5.2.3 Any complaint, however received, shall be entered into form CERT/F16 and subsequently, the complaints register (CERT/F39) for tracking. Any documentation accompanying a complaint or appeal shall be attached to the form CERT/F16 and maintained in the certification complaints file.
- 5.2.4 UNBS shall acknowledge receipt of the complaint in writing within 2 working days of receipt.
- 5.2.5 The Manager Certification Department shall examine the complaint to verify and confirm whether it is valid and relates to UNBS certification activities before it is addressed.
- 5.2.6 The valid complaint shall be forwarded to the respective head of division or other responsible party who shall investigate, gather and verify the necessary information to validate the complaint and progress it to a decision.
- 5.2.7 The level of investigation shall be commensurate with the seriousness, frequency of occurrence, and severity of the complaint in order to obtain all the relevant facts.
- 5.2.8 UNBS shall keep the complainant informed of the progress being made in dealing with the complaint and make any reasons for delay known.
- 5.2.9 The results of the investigation and the corrective action taken, together with any supporting evidence shall be recorded and submitted to the HAA for verification that the complaint has been satisfactorily addressed.
- 5.2.10 If the investigation so made indicate necessity to carry out corrective actions, appropriate root cause analysis shall be conducted and corrective




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action undertaken to prevent recurrence of the same problem as per procedure CERT/OP/10.

- 5.2.11 Whenever possible, the Manager Certification Department shall give formal notice of the outcome and the end of the complaint process to the complainant.
- 5.2.12 All complaints shall be investigated within one month.
- 5.2.13 Invalid complaints shall be fed back to the complainant with justification while complaints relating to other functions of UNBS shall be forwarded to the concerned departments.
- 5.2.14 The Manager Certification Department shall receive, handle and maintain complaints relating to activities of particular individuals involved in the Certification activities.
- 5.2.15 If it is the integrity of the certification staff in question, such complaint shall be handled by the Manager Certification Department, the Deputy Executive Director/Standards or Executive Director. The details of such cases shall be only be shared with those directly concerned in order to ensure confidentiality.
- 5.2.16 The Public Relations Officer (PRO) shall bring to the attention of the concerned, all complaints received through the media. If the complaint was in the print media, the PRO shall make an appropriate response through the same Newspaper.
- 5.2.17 If the complainant is not satisfied with the outcome of the investigation and rejects the proposed decision or corrective action, then the complaint shall remain open and alternative forms of recourse sought, including appeal.
- 5.3 Complaints against organisations or individuals who falsely claim to be UNBS certified, or using the UNBS certification marks shall be handled by the surveillance department and the legal counsel.

## **6. Handling of disputes against non-conformances**

- 6.1 Disputes arising out of a misinterpretation of a requirement between the audit client and the lead auditor during an audit leading to a non-

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conformance may be forwarded to the Manager Certification Department (MCD) within 1 week after the audit.

- 6.2 The MCD may consult with the audit team or other competent individual before making a ruling. If the non-conformance is found to be valid, the audit client will be required to take the appropriate corrective action. If the non-conformance is found to be invalid, the MCD shall withdraw the non-conformance and inform the Lead auditor of the reasons for this decision.

## 7. Appeals

- 7.1 Appeals against the decision of UNBS shall be received by formally writing to the Executive Director or using the Complaints, Disputes and Appeals form, CERT/F16 from [www.unbs.go.ug](http://www.unbs.go.ug) on link <https://goo.gl/u9veQe>
- 7.2 Persons or organisations may register an appeal having been aggrieved by:
- Refusal to accept an application for certification,
  - Refusal to grant or renew a permit,
  - A condition attached to a permit or variation of any conditions of a permit,
  - Withdrawal, suspension or cancellation of a permit or scope reduction,
  - Failure to resolve a complaint to the satisfaction of the complainant.
- 7.3 UNBS shall acknowledge receipt of the appeal in writing within 2 working days of receipt.
- 7.4 Upon receipt of an appeal, the Executive Director may appoint a competent and independent individual(s) to investigate the appeal in the first instance.
- 7.5 The applicant may be given an opportunity to be heard should they request so, either in person or in writing.
- 7.6 Once the investigation is completed, the Executive Director shall notify the appellant of the decision within four (4) weeks of the conclusion of the investigation;
- 7.7 Where an appeal is found to be invalid, the Executive Director will provide adequate reasons to the appellant in writing. Should they be satisfied, the appeal shall then be closed.
- 7.8 Where the appeal is not satisfactorily handled or resolved by UNBS, then, the appellant shall through the Executive Director appeal in writing to the Minister of Trade, Industry and Cooperatives. The Executive Director shall within 14 days forward the appeal to the Minister with such comments as they may think fit.



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- 7.9 The Minister may or may not schedule a hearing and the decision taken by the Minister affirming, varying or setting aside the action appealed against shall be final and shall not be questioned in any court of law, as per the UNBS Act clause 25.
- 7.10 The Minister shall communicate the decision to the Executive Director who shall give a formal notice of the outcome (decision) and the end of the appeal process.
- 7.11 UNBS shall keep the appellant informed of the progress being made in dealing with the appeal and make any reasons for delay known.
- 7.12 The appeal process shall not exceed 3 months from the date of initial reporting.


## 8. Impartiality

- 8.1 UNBS shall make every effort to ensure that complaints and appeals are addressed in an equitable, objective and unbiased manner.
- 8.2 To ensure that there is no conflict of interest:
- Persons named in the subject of complaint or appeal shall not be involved in any of the complaint and/or appeal handling process.
  - Personnel who have provided consultancy for a client, or been employed by a client, shall not be used to investigate, review or approve the resolution of a complaint or appeal for that client within two years following the end of the consultancy or employment.
  - The investigation and decision resolving the complaint or appeal shall be made by, or reviewed and approved by, person(s) not involved in the certification activities related to the complaint or appeal.
  - The decision to be communicated to the complainant and/or appellant shall be made by, or reviewed and approved by individual(s) not previously involved in the subject of the complaint or appeal.

## 9. Reporting and monitoring

- 9.1 Any complaint or appeal, however received, shall be entered into form CERT/F16 and subsequently, the complaints register (CERT/F39) for tracking.
- 9.2 The Head Audit Planning and Accreditation Management (HAA) shall maintain the records of complaints and appeals and any subsequent actions taken.
- 9.3 The HAA shall on a monthly basis review the register to ensure that reasonable effort is made to expedite the resolution of all open cases within



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agreed timelines. HAA shall also ensure that they verify that the action(s) taken are satisfactory.

- 9.4 Decisions on complaints or appeals shall be recorded to provide a traceable resource for future complaints and appeal investigations and to ensure consistent decision-making and understanding of complaint or appeal trends.
- 9.5 The Manager Certification Department shall report on complaints and appeals received at the subsequent management review;
- 9.6 The Head of Public Relations will also present the general customer feedback at the management review meeting for action and to determine the level of satisfaction with UNBS certification services.
- 9.7 Trend analysis shall be conducted by the Manager Certification Department to ensure that preventive actions are undertaken to inform decisions to reverse the rise in complaints due to particular causes in order to improve customer service.
- 9.8 UNBS shall together with the client and complainant determine whether and to what extent the subject of the complaint and its resolution shall be made public, subject to confidentiality requirements.
- 9.9 To maintain confidence in certification, UNBS may provide appropriate access to, or disclosure of, non-confidential information about the conclusions of specific audits or investigations in response to complaints to specific interested parties.
- 9.10 Complaints handling processes shall be separated from UNBS disciplinary procedures.

UNBS shall make all efforts to ensure that complainants are treated courteously and that submission, investigation and decision on complaints and appeals does not result in any discriminatory actions.

## 10. Records

Identification Number	Record Description	Record Location	Retention Responsibility
CERT/F16	Complaints, Disputes and Appeals Form	Certification Department	HAA
CERT/F39	Certification Complaints Register	Certification Department	HAA



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Issue No: 03

Revision No: 02

Effective Date:  
2/01/2019

### 11. Revision History

Date of Revision	Section/ Paragraph	Description of Changes
Oct 2018	5.1.7	Correct Procedure for suspension from CERT/OP/14 to CERT/OP/13
	5.1.9	Introduced to cover verification of effectiveness of the management system when complaints are raised
	7.3	Introduced to acknowledge receipt of appeal
	7.11	Introduced to keep appellant informed of progress of appeal
Dec 2018	5.2.4	Introduced to acknowledge receipt of complaint
	5.2.8	Introduced to keep complainant informed of progress of complaint