

V-140-x01pl_Appeals and complaints management

Contents

1. Objective	2
2. The scope	2
3. Terms and definitions	2
4. Registration	3
5. Appeal	3
5.1 Appeal proceedings	3
6. Complain	4
6.1 Handling with complaints	5
6.2 Handling of complaints – certification of persons	5
7. Negative customer reviews for IATF 16949	6
8. IFS Complaints	6
9. Escalation – process in Dekra Certification GmbH	6
10. Dealing with information about a serious incident or breach of health and safety law	7
11. Notification and termination of proceedings	7
12. Dispute	7
13. Falsifying a certificate/improper use of a certificate	8
14. Data analysis	8
15. Related documents	8

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If

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FEN

Introduction of appeals in the personnel certification process

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KM

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KM

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KM

Detailed procedure

25.04.2017

KM

V-140-x01pl Appeals and complaints management

Update on persons certification records + reference to requirements under IATF 16949	30.12.2019	MP
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Moving the procedure V-140-x01 to the QMS Team + was added point 8. IFS complaints	19/11/2021	WŻ
Update and clarify point 10	11/04/2022	WŻ

1. Objective

Ensuring the correct process of handling appeals and complaints to certification processes carried out in DEKRA Certification Sp. z o.o.. The procedure is also used to consider negative feedback from customers related to IATF, in addition to reports of forgery and incorrect handling of certificates issued before DEKRA Certification. The procedure determines the procedure in case of receipt of information about the occurrence of a serious incident or violation of health and safety law

2. The scope

This procedure defines the procedure for receipt of complaints or appeal, analysis, making of certification decision and resolving disputes arising submitted in the form of complaints or appeals arising from the national and international certification activities of DEKRA Certification Sp. z o.o. Complaints not relating to certification activities are submitted to the legal department of DEKRA Certification Sp. z o.o.

Description of the process of handling complaints and appeals is publicly available on the website:

<http://dekra-certification.com.pl/>

On the website there are also interactive forms to lodge a complaint or appeal in on-line form.

3. Terms and definitions

Appeal	Request by the organisation providing the subject matter of the conformity assessment to DEKRA Certification Sp. z o.o. to reconsider the above-referred decision taken by the entity relating to that subject matter
Complaint	Dissatisfaction reported by any person or organization, other than an appeal against the activities of DEKRA Certification Sp. z o.o., where a response is required
Negative feedback from IATF customers	Expression of dissatisfaction which cannot be directly identified as a complaint and which may not require processing in accordance with point 6 of this document
Dispute	Disagreement with the way in which the complaint was resolved presented by DEKRA Certification Sp. z o.o.
Conciliator	A person or organization that provides and conducts a dispute resolution process, external to DEKRA Certification Sp. z o.o.
DC	DEKRA Certification Ltd.
MSR	Management System Responsible
QMS Team	Quality Management System Team
QMS Specialist	Quality management System Specialist
RCCM	Regional Competence Center Manager

V-140-x01pl Appeals and complaints management

CPM	Customer Project Management
MP	Product Manager
Legal Department	Legal Team

4. Registration

Any cancellation, complaint, negative opinion of IATF customers or information about a serious incident or breach of health and safety law brought in writing by any person or organisation shall be recorded by the QMS Team and the person concerned shall be informed of the registration of the report.

The QMS Team is responsible for registering and overseeing the process of handling complaints and appeals in DC

Actions taken in the course of an appeal or complaint shall be recorded. Any negative feedback from IATF clients is additionally recorded by the CPM team in DCG.

5. Appeal

Customers of DEKRA Certification Sp. z o.o., at every stage of the certification process, have the right to appeal against any decision taken by DEKRA Certification Sp. z o.o. (e.g. non-approval of the application for certification, interruption of the certification process, non-certification, refusal of admission to the exam, regarding the evaluation of the exam).

The appeal must be submitted in writing (via e-mail) within 14 days of receipt of the decision. The appeal can also be submitted via the interactive form, which can be found on the certification body website. QMS Specialist records the appeal received by DEKRA Certification Sp. z o.o. and then forwards it for consideration to a person not involved in the process being appealed. The appeal lodged on the IATF 16949 process for consideration is forwarded to RCCM and further to DEKRA Certification GmbH.

The action taken with regard to a well-known appeal shall also take into account the results of previous similar appeals. These may include additional verification of the appeal process by independent Members of the Technical Committee (in the case of certification of persons) or the Certification Committee (in the case of system and CPT certification) not previously involved in the process.

5.1 Appeal proceedings

QMS Specialist completes the appeal with documentation related to the appeal process and selecting 1 person from among the Members of the Certification Committee responsible for the certification area concerned to analyze and consider the subject of the appeal. The QMS Specialist ensures that the person involved in the appeal process does not conduct the evaluation and make the certification decision in the process under review.

Notice of receipt of the appeal is also forwarded to the relevant Manager or Product Coordinator.

In the case of certification of persons QMS Specialist may refer the matter for consideration in addition to the Technical Committee Members to another external independent expert approved by the Product Manager. The selected Member of the Technical Committee or the external Expert, must not be involved in the ongoing evaluation or the certification decision on the appeal.

If necessary, DC Legal Department may also be involved in review and analysis of the appeal process.

V-140-x01pl Appeals and complaints management

Persons involved in the appeal process state:

- appropriateness of the appeal and indicates what action should be taken in response to the appeal
- dismisses the appeal.

The decision shall be forwarded to the QMS Specialist, which shall be responsible for formally forwarding it to the appellant. Where applicable, appropriate corrections and corrective actions shall be taken, the implementation of which shall be monitored by the QMS Team.

The appeal should be heard within 3 months of the date on which it was received.

QMS Specialist informs the customer in writing about how the appeal is dealt with.

The lodging, examination and decision-making of appeals shall not result in any action against the appellant.

The person, who disagrees with the decision on the appeal has the option to resubmit a written appeal. Then the QMS Specialist shall refer the case to the Legal Department of DEKRA Certification Sp. z o.o.

Each client is informed in the contract / General Terms and Conditions of Business (D-033-01pl General Terms and Conditions of Business or CW-D02-W_General Commercial Terms and Conditions JCW-JN) / D-03SS-x02pl General Conditions of Certification of Persons that in the event of a discrepancy in the interpretation of legal acts, the last body of appeal is the competent court for the seat of the Contractor.

6. Complain

We distinguish:

- Complaints regarding the activities of DEKRA Certification Sp. z o.o.;
- Complaints about organizations / persons certified by DEKRA Certification Sp. z o.o.

Complaints should be addressed to the Quality Management System (QMS Team).

Complaints may be submitted in writing or by e-mail. The complaint can also be submitted via the interactiveform, which can be found on certification body website. In case of an oral complaint DEKRA Certification Sp. z o.o. requires its written confirmation. Complaints, regardless of how they are lodged, should include the name and address of the complainant, otherwise they are left unseeded. In addition, the notification may also be received by analysing customer satisfaction if contact with the customer results in a complaint, such information must be reported in writing (via e-mail) to the QMS Team.

The following complaints are submitted to DEKRA Certification GmbH:

- where the complaint needs clarification in the DAkKS accreditation body.
- where it concerns the impartiality of DEKRA Certification.
- where it concerns the negative opinion of IATF customers

The customer also has the right to lodge a complaint against DEKRA's actions with the PCA accreditation body.

We provide confidentiality to complainants. If possible, we formally notify the complainant of the completion of the complaint process.

When informing certified customers about a complaint, the data of the complainant and the reason for the complaint should always be treated as confidential.

V-140-x01pl Appeals and complaints management

The certification body, together with the certified customer and the complainant, shall decide whether and to what extent the subject matter of the complaint and the manner in which the complaint should be made public.

A complaint about a certified organization/person means a third party's statement that the certified organization/person does not meet the certification conditions or does not comply with certification requirements, rules for the use of certificates, DEKRA marks or other shared items of use. Such a statement shall contain specific information sufficient for further investigation. If a complaint is received by a certified organization/person, they must immediately inform DEKRA Certification Sp. z o.o. during the term of the contract with DEKRA Certification Sp. z o.o. the certified organization / person must store all documents and information regarding complaints and immediately make them available to DEKRA Certification Sp. z o.o. free of charge, so that DEKRA Certification Sp. z o.o. can assess the complaint.

6.1 Handling with complaints

The complaint submitted on the IATF 16949 process for consideration is forwarded to DEKRA Certification GmbH.

Information about the receipt of the product is also transmitted to the relevant Manager or Product Coordinator. Any properly submitted complaint is registered and handled by the QMS Specialist. The complaint shall be supplemented by documentation relating to the subject-matter of the complaint. In the event that a complaint has been made against the MSR, the consideration and decision on the merits of the complaint shall be taken by the Chairman of the Management Board.

After considering the complaint, the MSR or the Chairman of the Management Board shall state:

- merits of the complaint
- unfoundedness of the complaint.

If a complaint is found to be well-known, the QMS Specialist shall appoint the person/team responsible for collecting and verifying all necessary information for the validation of the complaint. The designated person/team was not previously involved in the case that was the subject of the complaint. The course of action is recorded on form F-013-01. Some processes may require the participation of an appropriate Technical Coordinator or Product Manager.

After reviewing the information necessary to validate the complaint, the MSR in consultation with the Area Coordinator decides what action to take in response to the complaint. Where applicable, appropriate corrections and corrective actions shall be taken, the implementation of which shall be monitored by the QMS Team.

After investigating a complaint concerning a certified organization / person, MSR based on the information obtained or lack of such information, makes a decision to place the company / person under special supervision, including may order an additional - additional audit / conduct an additional examination or decide, that the complaint is not justified.

A response to the complaint shall be given by QMS Specialist within a period of 14 working days or, where it takes a longer period of time to clarify the case, information shall be provided to the party on the way forward.

6.2 Handling of complaints – certification of persons

In the event of a well-timed complaint against a certified person, the impact of the complaint on competence related to the certified area shall first be analysed. The process of dealing with a reasonable complaint against a person certified by DEKRA Certification Sp. z o.o. may include the conduct of an additional examination or a re-examination by an independent Member of the Technical Committee.

V-140-x01pl Appeals and complaints management

If DEKRA Certification Sp. z o.o., while respecting the principle of commensurateity, concludes that the DEKRA certificate does not need to be suspended or revoked immediately, the following procedure applies:

DEKRA Certification Sp. z o.o., under threat of withdrawal of the certificate, will call on the certified person to immediately respond to the objections. A certified person within a maximum of 30 calendar days from the date of receipt of the summons is obliged to respond to the objections. Upon receipt of the letter from a certified person or at the latest after the expiry of the above-due date DEKRA Certification Sp. z o.o. decision to revoke the certificate or take other action. For the duration of this 30-day deadline, DEKRA Certification Sp. z o.o. has the right to suspend the certificate issued by DEKRA Certification.

7. Negative customer reviews for IATF 16949

Each DC employee is responsible for providing negative customer feedback regarding IATF 16949 to the CPM Team. CPM enters information into form F-147-01 Negative customer feedback - product IATF 16949.

If the topic can be answered directly, the CPM closes the process in an Excel worksheet. If not, the RCCM will be informed and, if necessary, a complaint or appeal will be opened.

A notification receiving the status of a complaint or appeal for resolution shall be forwarded to the DCG

The CPM team forward form F-147-01 to the internal complaint box (complaints.certification.de@dekra.com).

The IATF OEM report is like a complaint, the CPM team registers and forwards the report to the DCG

8. IFS Complaints

Complaints in the IFS area require a written acknowledgement of receipt within 7 days. An initial response regarding the current status (attachment to the complaint, identification of the person responsible for the investigation) is to be provided to the complainant within 14 days.

9. Escalation – process in Dekra Certification GmbH

The following process relates to the handling of escalated appeals and complaints that are reviewed at DEKRA Certification GmbH.

For the appeals process, the escalation process begins with the appointment of a responsible person (QMS Team) to initiate the analysis for the investigation. For escalation, actions are defined as follows:

14 calendar days after receipt of the complaint, an investigator must be appointed by the department. If the QM team has not been appointed after this deadline, the Head of Quality Management and the disciplinary superior of the department will be informed of the escalation.

A second escalation process has been defined for the complaint procedure as follows:

The first reminder for handling complaints is sent 1 month before the end of the deadline. The second reminder is sent 14 calendar days before the deadline with the involvement of the head of QM. If processing is not completed by the deadline, escalation is initiated on the next calendar day. For this purpose, the disciplinary superior of the processor and the Head of QM is involved in the escalation.

V-140-x01pl Appeals and complaints management

10. Dealing with information about a serious incident or breach of health and safety law

The certified customer is obliged to promptly inform DC of a serious incident or breach of health and safety law. Any such notification should be addressed to the ISO 45001 Coordinator, who is responsible for maintaining a record of these incidents or OHS violations and for implementing necessary actions to verify them. It is subject to registration and is transmitted for verification to the OH&SMS Coordinator. In justified situations by the ISO 45001 Coordinator, it may be necessary to carry out a special audit to examine whether there has been a deterioration in the operation of the system and whether its functioning has been effective. The date and manner of the audit is agreed in advance with the client, it is planned after the completion of the activities carried out by the legal authorities. A report is required after such a special audit has been carried out. On the basis of the results of the audit, the ISO 45001 Coordinator decides on the further handling of the certificate.

11. Notification and termination of proceedings

The person filing the complaint or appeal is informed in writing (via email) by the QMS Specialist about the current status of the case proceeding and the decision on the appeal/complaint filed.

12. Dispute

DEKRA Certification Sp. z o.o. may forward a complaint that has not been resolved internally to the interviewer. The transfer to the interviewer may also be made if the complainants inform DEKRA Certification Sp. z o.o. that they wish their complaint to be initially dealt with by the lessee rather than DC.

The decision to forward the complaint to the decision of the decision to the decision to the trustee is always taken by the Management Board of the Company.

The arbitration may appoint an independent arbitrator designated by the relevant association (e.g. Supreme Technical Organisation, Polish ISO Forum, etc...).

The participation of the arbitrator must be agreed by either party to the dispute.

The resolution of a dispute may result in a settlement, recommendation or decision.

Once the dispute has been resolved, DEKRA Certification Sp. z o.o. takes the necessary steps to implement the settlement in a manner consistent with the settlement, recommendation or settlement decision. These steps include:

- Determine whether DC should take certain specific actions to implement the settlement (e.g. payment of a refund or other amount or other specific action that has been ordered or agreed);
- Assign responsibility for such activities to relevant personnel inside and outside DC and inform those personnel of the applicable deadlines or expected implementation time limits, if applicable;
- Coordinate the implementation of the settlement among responsible staff, complainants and others, and monitor the progress of the implementation of the settlement by each of them;
- Confirming the completion of the necessary actions;
- Notifying the interviewee when the implementation of the settlement has been completed or if implementation is delayed, including the reasons for the delays;

V-140-x01pl_Appeals and complaints management

- Determination of the complainant's satisfaction with the settlement implemented and closure of the dispute if the complainant is satisfied and determining what additional action, if any, is necessary in the event that the complainant is not satisfied with the settlement implemented

Once the settlement has been implemented, the dispute file is closed. Records of the dispute are stored in accordance with the internal procedure of DEKRA Certification Sp. z o.o.

13. Falsifying a certificate/improper use of a certificate

If DEKRA Certification Sp. z o.o. notified of falsified or misuse of DEKRA marks, please inform the QMS Team.

The team is responsible for:

- recording of forgery or abuse
- transmission of documents to the Legal Department
- transfer of documents for escalation to the legal department

In the case of the IATF, CPM investigates the case internally and then reports the case to the DCG

Forgeries for DCG-only dependent areas are sent to the entity. Legal Department in Germany contacts with the Legal Department in Poland.

The relevant product managers are designating for the course of forgery, it is up to them to decide whether to contact the customer on their case or transfer the case to the Legal Department.

14. Data analysis

Data on complaints and appeals will be examined annually for the Management Review DC.

It will be calculated in the complaint code in % = the number of complaints and appeals in relation to the certification decisions made (sum of initial certifications, recertifications and maintenance of certificates) *

In addition, quarterly data on the number of complaints and appeals in DAkKS accreditation areas are sent to DCG as input to DCG's management review and are noted in the F-010-28 report by DCG.

The analysis of applications will be carried out on an ongoing basis on the basis of the register kept. Data and files relating to individual complaints and appeals are stored on disk in the QMS Team.

15. Related documents

V-140-01 Complaint Management

F-013-01 Complaint form

V-092-05 Misuse of certificates, seal or marks
