

PROCESSING OF APPEALS AND COMPLAINTS



Lk / Стр.: 1 / 4

Dok.tähis: AEW - KP - 04

Rev.: 2

Kuup. / Дата: 01.09.2021

1. Terms and definitions

Appeal – a written objection to a decision made by the certification body.

Appellant – the person who submitted the appeal and against whom the certification decision was rendered.

Complaint / Claim – a formal statement indicating an illegal or improper action by a person or entity;

2. Appeal handling procedures.

2.1 Registration of the appeals

2.1.1. In case of disagreement with the certification decision, the certification complainant has the right to appeal to the certification body, Association of Estonian Welders MTÜ (hereinafter AEW MTÜ), within 30 calendar days from the date of the certification decision.

The appeal should be submitted in writing or electronically in any manner convenient to the appellant: in hard copy, authenticated by the original signature of the complainant, or electronically, authenticated by the electronic signature of the complainant.

No appeals will be accepted after 30 calendar days from the date of the certification decision.

The submitting of an appeal does not suspend the validity of the decision.

2.1.2. Upon receipt of an appeal, the Head of the AEW MTÜ will form an Appeals Board.

The Appeals Board is temporarily established within the AEW MTÜ and functions for the time necessary to process and decide the appeal and monitor the implementation of the decision.

The Board consists of:

- Head of the Entity – Chairman of the Board
- a member of the Scheme Committee who is not an employee of the AEW MTÜ (representative of the client or third party concerned);
- a competent employee of the AEW MTÜ who was not involved in the examination and certification decision in the processed appeal.

2.1.3. The timeframe of the Board's work is determined by the Head of the AEW MTÜ. The appeal processing period will not exceed 30 calendar days from the date the appeal is received.

If the Board determines that it is unable to render a decision within 30 days, it may extend the processing period for an additional 30 calendar days, and shall notify the appellant in writing.

2.1.4. The appeals are received by the Quality Manager and registered in the "Complaints and Appeals Register" (form AEW-F-08) and forwarded to the Head of the AEW MTÜ – Chairman of the Appeals Board.

2.1.5. The appellant will be notified in writing within three business days that the Entity has received the appeal.

2.1.6. The activity of confirming, analyzing and making decisions related to appeals shall not discriminate in any way against the appellant.

2.2. Analysis of the appeals

2.2.1. The Chairman of the Board shall process the appeal, analyze the results of previous similar appeals (if any) and, if necessary, request additional data from the Head of Certification Department, the appellant and any subcontracted laboratories involved in the certification process. If necessary, independent experts are involved.

2.2.2. The Chairman of the Board or one of its members shall prepare the appeal processing materials and set the date, place and time of the Board meeting, which shall be communicated to all Board members and the appellant.

The presence of the appellant at the Appeals Board meeting is permitted, but not required. The examiner and the person who made the certification decision are also invited to attend.

2.2.3. If the analysis of the appeal results in the need for repeated check-up tests (reviews, check measurements, etc.), the AEW MTÜ will inform the appellant accordingly.

The conditions for performing repeated check-up tests are described in Item 4.

2.2.4. The employees (including supervisors) who provided counseling services to the appellant or worked under the appellant's supervision may not participate in the processing of appeals for two years after the termination of the counseling services or employment.

2.3. Holding a meeting of the Appeals Board

2.3.1. The Chairman of the Board shall report the content of the appeal. The person making the certification decision shall justify the decision.

The Chairman of the Board, or one of its members, shall report the content of the submissions on the subject of the appeal.

The meeting of the Board shall be minuted.

Koostas:
Sertifitseerimisosakonna juhataja
Semjon Berzon, 01.09.2021

(Kuupäev, Allkiri)

Kinnitas:
AEW MTÜ juhatuseliige
Sergei Boaga, 01.09.2021

(Kuupäev, Allkiri)

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2.4. Decision on the appeal

2.4.1. The appeal will be decided based on a processing and analysis of all information submitted to the Board.

2.4.2. When making a decision, information from external sources relevant to the subject matter of the appeal will be considered.

2.4.3. The Board's decision shall state whether the certification decision of the AEW MTÜ is justified or not.

2.4.4. The decision shall be made by a majority vote of the members of the Board by open ballot.

The decision of the Appeals Board shall be documented.

The decision shall contain:

- in case of allowing of the appeal: date, place and method of satisfaction of the appeal;
- in case of refusal to allow the appeal: the reason for the refusal with references to the relevant regulatory documents and evidence justifying the refusal.

2.4.5. The appeal decision is archived by the Quality Manager.

A copy of the appeal decision will be sent to the appellant within 3 business days.

2.5 Actions of the parties after the decision on the appeal

2.5.1. The decision of the Appeals Board is binding on the AEW MTÜ.

2.5.2. If the appeal is found to be justified, the Quality Manager, in conjunction with the Head of the Certification Department:

- works to implement the Board's decision at no additional cost to the appellant, using a different set of examiners and certification decision makers;
- develops a corrective and preventive action plan to eliminate unjustified certification decisions in the future.

2.5.3. In order to identify and eliminate potential causes of appeals, the AEW MTÜ systematically conducts:

- periodic inspections and analysis of the AEW MTÜ Management System procedures;
- internal audits;
- monitoring of staff performance;
- verification of the documents issued based on the results of the work performed;
- analyzing the appeals received;
- analyzing the Management System and activities on its improvement by processing appeals received as input for analysis by the management.

2.5.4. The implementation of the corrective and preventive action plan is monitored and the effectiveness of these measures is evaluated by the Head of the AEW MTÜ.

2.5.5. If the appeal is found to be unjustified, the prior decision remains in force.

If the appellant does not agree with the decision of the Appeals Board, he/she has the right to submit a complaint against the certification body AEW MTÜ with Eesti Akrediteerimiskeskus (www.eak.ee) / Estonian Accreditation Centre or to submit a lawsuit in accordance with the applicable laws of the Republic of Estonia.

3. Complaint handling procedures.

3.1. Registration of the complaints

3.1.1. Complaints received by the AEW MTÜ can be of two types:

- claims about the actions of the AEW MTÜ employees during examinations and certification;
- complaints about the quality of services provided by AEW MTÜ.

3.1.2. Complaints shall be submitted in free form, in writing or electronically, in any manner convenient to the complainant. Complaints may be submitted by the applicant for certification, as well as by other individuals and organizations involved in the process.

Complaints shall be accepted for consideration within 30 calendar days from the date of the incident about which the complaint is filed. Complaints will not be accepted after 30 days.

3.1.3. In order to handle complaints efficiently, this procedure is publicly available at the office and on the AEW MTÜ website (www.aew.ee).

3.1.4. Timeliness, objectivity, fairness, impartiality, neutrality and confidentiality of the complainant and the subject of the complaint shall be ensured in the processing of the complaint.

3.1.5. Complaints are received by the Quality Manager and registered in the "Complaints and Appeals Register" (form AEW-F-08) and forwarded to the Head of the AEW MTÜ and the Head of Certification Department.

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3.1.6. Upon receipt of the complaint, the Head of the Certification Department will determine whether the complaint is related to the activities of the Entity.

If the complaint is related to the activities of the AEW MTÜ, it will be accepted for further processing.

If the complaint is submitted against the actions of a certified person, the AEW MTÜ is obliged to inform the certified person of the receipt of the complaint and the progress of its processing.

3.1.7. The Head of the Certification Department will notify the complainant of the receipt of the complaint and the timeframe for processing within 3 days.

The maximum time for processing the complaint is 15 calendar days from the date of receipt.

3.1.8. Information about the complainant received in the form of the complaint will be kept confidential in accordance with the AEW MTÜ policy.

3.1.9. The Head of the Certification Department is responsible for handling complaints.

3.2. Complaint analysis and decision making

3.2.1. All decisions made during the complaint processing shall be made, analyzed and approved by persons who were not involved in the actions related to the complaint.

3.2.2. When examining the complaint, the AEW MTÜ is responsible for gathering and reviewing all information necessary to verify the complaint.

3.2.3. The Head of the Certification Department or the Head of AEW MTÜ (in case the Head of the Certification Department is the subject of the complaint) collects and analyzes all data and documents related to the content of the complaint, prepare and make a decision.

The decision shall contain:

- in the case of a justified complaint: actions to satisfy the complaint;
- if the complaint is found to be unjustified: the reason for the denial of the complaint, with references to the relevant regulatory documents and evidence on which the denial is based.

3.2.4. The progress of the processing and analysis of the complaint shall be documented. The complainant will be kept informed of the progress of the processing of the complaint.

3.2.5. If the complaint is found to be credible, the Head of the Certification Department will develop actions to address the causes of the complaint and, if necessary, corrective actions.

3.2.6. The AEW MTÜ informs the complainant of the action taken and receives feedback on the complainant's satisfaction.

3.2.7. The decision on the complaint and the termination of its processing shall be communicated to the complainant in writing within 3 business days from the date of the decision.

3.2.8. Upon completion of the complaint processing, the Head of Certification Department will prepare a report and submit all information regarding the complaint to the Head of the AEW MTÜ for review.

All materials related to the complaint process will be archived by the Quality Manager:

- complaint;
- complaint processing report;
- confirmation of the complainant's satisfaction with the measures taken (electronic, registered, faxed letter);
- other correspondence with the complainant and other organizations and individuals regarding the complaint.

3.2.9. In order to comply with confidentiality requirements, the AEW MTÜ will determine the necessity and extent of disclosure of data and decisions made in connection with the processing of the complaint.

4. Repeated check-up tests

4.1. The AEW MTÜ will inform the appellant / complainant if repeated or additional check-up tests (examinations, check-up measurements, etc.) are required in the course of the analysis of appeals / complaints.

4.2. Repeat and/or additional tests will be administered by an independent expert.

4.3. Repeat and/or additional tests and the choice of testing facilities will be agreed in writing with the appellant / complainant.

4.4. If the appeal / complaint is found to be valid as a result of repeated and/or additional tests, the costs of the control tests shall be borne by the AEW MTÜ.

4.5 If the results of the repeated and/or additional tests are identical to those previously obtained, the cost of the retests shall be borne by the appellant / complainant.

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Kinnitas:

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Sergei Boaga, 01.09.2021

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