

1. PURPOSE

The purpose of this procedure is to establish the procedure for dealing with appeals, complaints and disputes.

2. SCOPE

The scope of this procedure will cover any appeal, complaint and dispute related to certification raised to TRANS CERTIFICATION & INSPECTION (TCI) SDN. BHD.

3. RESPONSIBILITY

3.1 Complaint and Appeal

- a. TCI will form a *Complaint and Appeal Committee*. The Complaint and Appeal Committee will be responsible to decide on the outcome of the complaint and appeal received.
- b. Any complaint received towards TCI's Top Management, the case will be forward to Governing Advisory Council (GAC) to investigate and recommend any necessary corrective action.
- c. The Chairman will be responsible to inform the management of the outcome of the Complaint and Appeal Panel's decision.
- a. The Complaint and Appeal Committee will be responsible to nominate an independent staff to investigate into any complaint and decide on the necessary corrective action.
- b. The Administrative staff is responsible to maintain a *Complaint, Appeal and Dispute Log* to keep track on the status of case received.
- c. The *Complaint and Appeal Committee* being appointed must be in odd numbers and satisfy the following criteria:
 - i. Have not been involved in the audit process;
 - ii. Have not been involved in the decision making of the certification;

- iii. There is no conflict of interest, personnel (including those acting in a managerial capacity) who have provided consultancy for a client, or been employed by a client, will not be used by TCI to review or approve the resolution of a complaint or appeal for that client within two years following the end of the consultancy or employment;
- d. The complainant/appellant shall present his case before the *Complaint and Appeal Committee* as part of the investigation/evaluation process.

3.2 Dispute

- a. The Lead Auditor will be responsible to try to settle any dispute with client at the site. Otherwise, the *Complaint, Appeal and Dispute Committee* will be the final authority to decide on any dispute.

4. PROCEDURE

4.1 Complaint

4.1.1 Complaint against the TCI's client or from Regulator

- a. Any official complaint (*Complaint Record Form*) against TCI's client or from regulator, it will be directed to the **Complaint Appeal & Dispute Committee**. Upon receipt of the complaint in writing and form submission through TCI's Website. '**Complaint, Appeal & Dispute recorder**' will transfer the information in *Complaint Record Form*. Acknowledgement of the receipt of the complaint shall be provided to the complainant for declaration.
- b. The Complaint & Appeal Committee shall confirm whether the complaints received relate to certification activities that TCI is responsible for and, if so, shall deal with it.
- c. TCI will subsequently inform the company that it is investigating the case. It shall consider the effectiveness of the certified management system.
- d. The Short Notice Audit/Special Audit may be required for examining the complaint and the audit report will be the outcome of the case. Progress report on the complaint made shall be sent to the complainant.
- e. Submission, investigation and decision on appeals shall not result in any discriminatory actions against the complainant.
- f. Timeframe from receipt of complaint to final decision shall be made within 3 months and notification to complaint shall be within 1 month after the final decision has been made.
- g. Confidentiality, as it relates to the complainant and to the subject of the complaint shall be maintained.

4.1.2 Complaint against the TCI's management

- a. Upon receipt of the complaint in writing and form submission through TCI's Website, '**Complaint, Appeal & Dispute recorder**' will transfer the information in *Complaint Record Form*. Acknowledgement of the receipt of the complaint shall be provided to the complainant for declaration.
- b. The Complaint, Appeal & Dispute Committee shall confirm whether the complaints received relate to certification activities that TCI is responsible for and, if so, shall deal with it.
- c. Upon receiving any complaint against the TCI's management, the '**Complaint, Appeal & Dispute Coordinator**' shall set up a *Complaint, Appeal & Dispute Committee*.
- d. The *Complaint, Appeal & Dispute Committee* will investigate the complaint to identify:
 - i. If any aspect of the TCI has failed and if so, identify corrective action to prevent recurrence.
 - ii. If there are any shortcomings with the Management Systems and/or processes of our client. If this is the case, the client will be required to put in place a suitable corrective action process. TCI may need to take additional action as a result of identified system failings.
- e. Upon completion of the investigation, the Complaint, Appeal & Dispute Committee will recommend the correction and corrective action that need to be taken where necessary. Thus, the relevant staff has to implement appropriate correction and corrective action and the Complaint, Appeal & Dispute Committee to assess the effectiveness of the corrective action taken. The outcome of the complaint committee is to be documented in the *Complaint, Appeal and Dispute Log*. Progress report on the complaint made shall be sent to the complainant.
- f. Timeframe from receipt of complaint to final decision shall be made within 3 months and notification to complaint shall be within 1 month after the final decision has been made.
- g. Confidentiality, as it relates to the complainant and to the subject of the complaint shall be maintained.

4.2 Appeal

- a. Appeals such as Termination, Withdrawal, Suspension, Reduction of Scope & etc. will be processed, concluded and decision communicated to relevant parties as efficiently as circumstances permit. The appeal shall be made in writing and form submission through TCI's Website. 'Complaint, Appeal & Dispute Record' will transfer the information in *Appeal Record Form*. It shall be returned to the appellant for a declaration on the appeal made.
- b. Upon receipt of the appeal, Complaint, Appeal & Dispute Committee will inform the company that TCI is investigating into the case and will report on the progress and outcome of the case.
- c. The Complaint, Appeal & Dispute *Committee* will investigate into the appeal raised and decide on the outcome of the appeal. The committee will validate and investigate the appeal, and for deciding what correction and corrective action are to be taken in response to it, taking into account the results of previous similar appeals. The decision of the Appeal will be based on consensus and the committee's decision will be final.
- d. Upon completion of the investigation, the Complaint, Appeal & Dispute *Committee* will inform by officially writing letter to the appellant decision of the Committee and will take any appropriate correction and corrective action as required.
- e. The decision of the Complaint, Appeal & Dispute *Committee* and the official letter to the company will be filed in the *Complaint, Appeal and Dispute Log*.
- f. Submission, investigation and decision on appeals shall not result in any discriminatory actions against the appellant.
- g. Timeframe from appeal investigation to final decision shall be made as soon as possible or maximum 1 month. Notification to appellant shall be made within 14 working days after the final decision has been made.

Remark: 2 weeks for forming the investigation, 2 weeks for making a decision and 2 weeks for notifying the appellant.

4.3 Dispute

- a. Should any dispute arise in the course of conducting the assessment visit, the Lead Auditor will try to settle the dispute with the Management Representative of the company. He will consolidate all objective evidence to support his case.
- b. If the situation does not warrant this approach, the Lead Auditor will terminate the assessment and document the background of the case and refer the matter to the Appeal, Complaint & Dispute Committee.
- c. 'Appeal Record' will document the dispute in the *Dispute Record Form* and study the case. He will decide on the corrective action to be taken.
- d. Where necessary, he will make an appointment to discuss the matter with the company. If the company agrees, a separate assessment should be scheduled and the Appeal, Complaint & Dispute Committee may appoint a new assessment team to conduct the assessment. The findings of the subsequent audit will be the conclusion of TCI.
- h. The Appeal, Complaint & Dispute Committee will file the *Dispute Record Form* and all records of the dispute in the *Complaint, Appeal and Dispute Log*.

4.4 Corrective and Preventive Action

- a. The Managing Director and/or Scheme Coordinator will review the records of *Complaint, Appeal and Dispute Log* every six-monthly basis. When a non-conformance trend or potential problem is detected, he will issue the case to the relevant person to investigate the problem.
- b. The relevant person will discuss the result of the investigation with the Managing Director and/or Scheme Coordinator and decide on the preventive action. The preventive action will be implemented accordingly. The Managing Director and/or Scheme Coordinator will assess the effectiveness of the preventive action taken and suggest / implement further preventive actions if necessary.
- c. Managing Director and / or Scheme Coordinator will close the case upon satisfactory preventive action being taken.
- d. All preventive actions taken will be discussed at the next management review meeting.