

## **OFDC Procedure for Disposal of Complaint, Appeal and Dispute**

### **1. Objective**

In order to ensure the justice and effectiveness of OFDC disposal of appeal, complaint and dispute, maintain the interests of all parties related to certification and reputation of OFDC, OFDC set up this procedure.

### **2. Scope**

This procedure is applicable for disposal for appeal, complaint and dispute from applicants and certified operator to OFDC, and complaint to OFDC applicants and certified operator from third party.

### **3. Term and Definition**

3.1 Appeal is a written file from OFDC applicant or certified operator, during process of certification, in case they do not agree with the certification result, such as rejection of application, re-evaluation; the decision of requiring corrective actions, change of certification scope, suspension, withdrawal or cancellation of certification; and any other actions that may have blocked process of certification.

3.2 Complaint is the written file from any organization or individual, in case they do not satisfy with OFDC certification services to the applicant or certified operator, or the activities of the applicant or certified operator related to certification.

3.3 Dispute is a written file from applicant or certified operator, in case they have dissent in certification procedure or technology.

### **4. Responsibility**

4.1 The Certification and Accreditation Department is responsible for accepting appeal, complaint or dispute materials submitted formally by an interested party.

4.2 All the departments of OFDC cooperate with the Certification and Accreditation Department to dispose the appeal, complaint or dispute.

4.3 The director or manager representative is responsible for approval the disposal of the appeal, complaint or dispute.

### **5. Principle**

5.1 The disposal of appeal, complaint and dispute must be based on related laws, regulations, and certification standards;

5.2 The disposal for appeal, complaint and dispute should be carried out according to the OFDC Confidentiality Guidance; the OFDC staff must keep

secret for any non-public information of the involved parties.

5.3 All the staff involved with disposing the appeal, complaint and dispute must keep objectivity and justness.

5.4 The staff who has conflict with the appeal, complaint and dispute must avoid the disposal.

## 6. Submission of appeal, complaint and dispute

The appeal, complaint and dispute must be put forward to OFDC in the following methods:

- 1) The appeal, complaint and dispute must be submitted in written files;
- 2) The file must be signed by the responsible person of the interested party;
- 3) The responsible person must have direct relation to the matter of the appeal, complaint and dispute.
- 4) Normally, the anonymous appeal, complaint and dispute are not acceptable.

## 7. Acceptance of the appeal, complaint and dispute

The Certification and Accreditation Department is responsible for accepting and reviewing the appeal, complaint and dispute materials submitted formally by an interested party, and “Record of Appeal, Complaint, and Dispute Disposal” must be filled since the acceptance. Once accepted the appeal, complaint and dispute, the Certification and Accreditation Department must inform the involved parties in written. The interval between receiving and informing the complainer whether or not accept the compliance must not exceed 10 working days. OFDC must deal with the appeal, complaint and dispute within 30 days and inform the related parties of the final treatment in written.

## 8. Disposal of the appeal, complaint and dispute

### 8.1 Organizing the temporary workgroup

When there occurs appeal, complaint and dispute, OFDC temporary workgroup must be organized. The members in the temporary workgroup for handling must be familiar with relative laws, regulations, and standards, and OFDC quality management system. However, the members who has conducted inspections or certification decision to the operator who is appealing, complaining or being complained, and forward disputing shall not involved with handling, but communicate with or collect information from the member for investigation is not excluded. The members of temporary workgroup for handling appeal, complaint and dispute are listed in Annex 1.

The director of Certification and Accreditation Department is responsible for organizing the workgroup to conduct initial reviewing to the materials related to appeals, complaint and dispute, and distribute appeals, complaint and dispute to related committee/department/group according to the types. The types of appeals, complaint and dispute and who must handle it is as followings:

- 1) The appeal to the certification decision must be transferred to the Certification Committee (CC) who is responsible for investigation and handling;
- 2) For the complaints, or dispute about problems in OFDC quality management system, staff involved with acceptance of application, or inspection and/or other certification activities, the case must be investigated and handled by the workgroup;
- 3) The complaints to the OFDC certified operator about disobey the certification standard or regulation must be transferred to the Certification and Accreditation Department for investigation and handling;
- 4) The complaint to uncertified operator must be transferred to the Certification and Accreditation Department for investigation and handling ;
- 5) The dispute on technical issues on OFDC certification activities must be transferred to the management representative who shall organize handling.

## 8.2 Procedure of disposal

No matter which committee/department/group is handling the appeals, complaint and dispute, the disposal procedure must include collect related information and materials, on-site investigation (if necessary), review related certification documents and records, verification, comments or requirements from related parties, etc. Then an investigation report must be completed, including findings, reason analysis and comments for handling from the investigator(s). The investigation report must be submitted to the director of CC ( 8.2.1、 8.2.3 ), or director or deputy director of OFDC ( 8.2.2 ), or director of the Certification and Accreditation Department ( 8.2.4 ), or management representative ( 8.2.5 ) for review and approval of handling. Then related department/personnel must handle the issues, including inform the handling result to related parties. If the handling to the appeal, complaint and dispute is considered need more time, the related department/person must report to OFDC Director for approval.

8.2.1 For the appeal about the certification decision ( such as suspension/withdrawal/rejection ) , the CC must held a meeting for discussion and decision on the appeal. However, the original decision-maker for the operator must avoid attending the meeting. During the period of handling the appeal, the original decision ( suspension/withdrawal/rejection ) is still valid until the new decision that is different than original decision comes out from the CC discussion.

a) Once the CC accept the appeal from the operator whose certification has been suspended/withdrawn/rejected, the original decision will be cancelled, and the appealer (operator) can use the original certificate or get new certificate once get inform of certification recovering from OFDC.

b) Once the CC disallows the appeal from the operator whose certification has been suspended, the operator need to prove its effective correction for the aim of recovering of certification, and is not allowed to use the original certificate until get inform of certification recovering from OFDC. If the operator is not able to take required corrective actions, the CC will withdraw the certificate according to OFDC Condition and Procedure for Suspension, Withdrawal, Rejection and Cancellation of Certification.

c) If the CC disallows the appeal of the operator whose certification has been withdrawn/rejected, the certification status of the operator shall not be recovered. The CC will conduct withdrawal according to OFDC Condition and Procedure for Suspension, Withdrawal, Rejection and Cancellation of Certification.

8.2.2 For the appeals, complaints, and dispute about problems in OFDC quality management system (such as OFDC work procedure), staff involved with acceptance of application, or inspection and/or other certification activities, the Certification and Accreditation Department must organize the workgroup to conduct investigation. OFDC director or deputy director must review and instruct the related department to handle the issue (including take the corrective and prevention measures, if needed), and the management representative must track and verify the result of handling.

8.2.3 For the complaints to the OFDC certified operator about disobey the certification standard, the Certification and Accreditation Department must conduct investigation and then transfer the result of investigation to CC for handling. Once the CC confirms there is non-compliance exists, the decision of

suspension or withdrawal of certification to the operator will be made, according to OFDC certification schemes and procedures.

8.2.4 For complaint to uncertified operator, such as fake certificate of OFDC or other CB, OFDC must investigate the cheating activities and take follow-up handling measures. The Certification and Accreditation Department must inform OFDC director or deputy director the result of disposal in time, and if necessary, inform administration authorities, accreditation bodies, and other CBs that may related, or third parties involved, and notify the operator who made fake certificate to stop the infringement act.

8.2.5 For complaints to OFDC foreign clients, or operators not certified by OFDC using fake certificate of OFDC or other CB, OFDC must try its best for investigation, according to this procedure. For cases that OFDC can't handle on its own, OFDC can ask for help from the foreign CB of the operator (if applicable), or OFDC accreditation body, or government authority where the certified operator or uncertified operator located in.

Once investigated and confirmed, the Certification Dept. must adopt measures, and inform OFDC director/deputy director about the result of investigation and disposal, and if necessary, notify related administration authority in China or in foreign countries, OFDC accreditation bodies, the other CBs that may related, or third parties involved. For case of fake certificate, OFDC must notify the operator involved to stop the infringement act.

8.2.6 For dispute to technical issues of OFDC certification activities, the management representative is responsible to organize OFDC experts/standard committee/certification technology group to discuss on the issue, and then give feedback to the disputer, and inform OFDC director or deputy director if necessary.

8.2.7 Whenever possible, OFDC shall give formal notice to the complainant of the findings of the investigation, the results and basis of the treatment, and the termination of the process, and notify other parties if necessary.

8.2.8 The Certification and Accreditation Department must keep all the investigation reports and materials of disposal in archive.

### 8.3 Acceptance for further appeal, complaint, and dispute

If the interest parties of the appeals, complaints and dispute are still not satisfied with the OFDC resolution, they may put forward further appeal, complaint and dispute to administration authorities, accreditation bodies of

OFDC.

#### 9. Supporting Files

File No.	File Name
OFDC-D7-01	OFDC Record of Appeal, Complaint, and Dispute Disposal
OFDC-D4.6-12	OFDC Notice of Restoring Certification
OFDC-GD4.10-01	OFDC Confidentiality Guidance
OFDC-PR4.2-02	OFDC Supervision Management Committee Work Procedure
OFDC-PR4.6-02	OFDC Condition and Procedure for Suspension, Withdrawal, Rejection and Cancellation of Certification
OFDC-PR4.7-03	OFDC Corrective and Preventive Measures

#### Annex 1 List of members of Committee for Handling Appeal, Complaint and Dispute

Name	Position
Zhang Jibing	Director of OFDC
Zhou Juan	Director of OFDC Certification Dept.
Xie Weihua	Director of OFDC CC
Tang Jian	Vice Director of OFDC
Wang Yungang	OFDC Chief Technician