



Appeals Procedure

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Document Code: P-AP
QQM Section: 9.13
Date Approved: 24.11.2020
Approved by: Executive Committee
Valid from: 01.01.2021
Version: 02
No. Pages: 3



Purpose

The purpose of this document is to describe how to handle appeals against QUALICOAT (QUALIDECO) certification (licence or approval) for decisions taken and notified by the QUALICOAT Certification Body.

Definitions

This procedure is established in conformity with the Quality Manual of QUALICOAT, the QUALICOAT (QUALIDECO) Specifications, and the latest version of ISO standard 17065 Conformity assessment (Requirements for bodies certifying products, processes and services).

Label Committee

The Label Committee serves as last appeal instance in case of disputes or disagreements between actors of the Label Schemes QUALICOAT (QUALIDECO). The composition of the Label Committee is described in Art. 2 of the QUALICOAT Bylaws.

Appeal

Written formal objection against a certification decision taken by the QUALICOAT Certification Body and submitted by any actor of the QUALICOAT (QUALIDECO) certification scheme.

Appellant

Person, company (coating applicator / powder and/or chemical manufacturer) or any actor of the QUALICOAT (QUALIDECO) certification scheme that submits a written request to reconsider a decision taken by the QUALICOAT Certification Body.

Procedure

- The appeal shall be submitted within 10 working days (see also QUALICOAT Specifications 4.3 powder manufacturer's right of appeal and 5.3 coating applicator's right of appeal) in writing to the General Licensee or to the QUALICOAT Certification Body in countries with no General Licensee.
- The appellant has to specify which decision or which elements of the decision have to be reconsidered and to explain the reasons for its request. Any documents can be sent to justify the request.
- The General Licensee or the QUALICOAT Certification Body in countries with no General Licensee acknowledge receipt of the formal appeal within 5 working days of receipt and make a corresponding entry in the complaint and appeal Register.
- The General Licensee or the QUALICOAT Certification Body in countries with no General Licensee have 10 working days to provide to the appellant full details (e.g. laboratory test results, inspection report, confirmation) of the decision.

- In case the appellant is not satisfied with the decision from the General Licensee or from the QUALICOAT Certification Body in countries with no General Licensee the appellant has the right to bring the appeal up to the Label Committee in writing to the QUALICOAT Certification Body explaining the reason for the appeal.
- The QUALICOAT Certification Body acknowledges the receipt of the appeal to the Label committee within 5 working days and shall inform the Label committee at the same time.
- The QUALICOAT Certification Body prepares all information (anonymously) for the Label committee.
- The Label Committee has to take a decision within 4 weeks.
- The appeal does not suspend the decision of the Label Committee. However, any further evaluation activities (e.g. routine visits) foreseen by the certification scheme shall be suspended until a decision has been taken on the appeal.
- The Label Committee may designate a person of the Label Committee in charge of organising any investigation or research or of consulting the actors involved in the present appeal.
- The Label Committee may invite the parties involved to a meeting (online or physical) where all parties can explain their position and/or invite any expert of its choice. The appellant may refuse to participate in the meeting.
- Any person who has participated in the evaluation and review activities as well as in the decision that is disputed, cannot take part in the appeal decision.
- The final decision of the Label Committee shall be notified in writing to the appellant and to all parties involved within 10 working days of the decision taken by the Label Committee, specifying the reasons for the decision.

Should the appellant inform the General Licensee or the QUALICOAT Certification Body in countries with no General Licensee in writing that he/she gives up the appeal during any stage of the appeal procedure, the appeal procedure shall be considered as terminated and closed.

Powder manufacturer appeal after Florida exposure

- The powder manufacturer has the right to see the test and reference panels at the premises of the testing laboratory.
- In case this is not possible following alternative options are possible and shall be chosen depending on the situation:
 - pictures of the test and reference panels shall be taken and sent to the General Licensee and appellant
 - a video conference call shall be setup between the General Licensee or the QUALICOAT Certification Body in countries with no General Licensee, testing laboratory and appellant to show the test and reference panels
 - in exceptional cases the testing laboratory shall cut the test and reference panels in two parts and send one part to the appellant. After a physical review by the appellant, the appellant shall send the test and reference panels back to the testing laboratory within 15 working days.