




TASNEEF-RINA Business Assurance LLC

TREATMENT OF APPEALS

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DRAFT
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 <p>تصنيف رينا لضمان الأعمال TASNEEF-RINA Business Assurance</p>	MANAGEMENT SYSTEM	Effectivity Date: 01 August 2021
		Revision no. 03
	TREATMENT OF APPEALS	Code: TRBA-SP-04-03-2021

0.2 REVISION HISTORY

Revision No.	Date	Author	Main changes
00	15 January 2018	Irene Borlongan-Caisip	First issued
01	15 January 2019	Yasir Ali	Addition of Halal Appeal Review Committee
02	29 November 2019	Yasir Ali	Updating clauses nos. 4, 5.2 and 5.4
03	01 August 2021	Irene Borlongan-Caisip	Additional information added in 1. Purpose



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1. PURPOSE

This procedure documents the way in which TRBA ensures the reception and treatment of the appeals addressed to it.

This document shall always be aligned to RINA Policies relevant to the status of the certification body, Shareholders' Partnership Agreement, Memorandum of Association. In particular TRBA will perform only the scope identified in the Shareholders' Partnership Agreement and Memorandum of Association, without consulting that is affecting the status of the certification body. When conflicting, the correspondent RINA rule shall prevail. Impartiality according to RINA rules and other relevant documents, will always be considered as a main reference in every requirement of TRBA policies.

2. SCOPE

2.1 The procedure shall be applied by the Appeal committee for the treatment of appeals relating to TRBA decisions on certification or in relation to the resolution of a complaint.

2.2. Appeals can be made by certification applicants and certified clients.

3. DEFINITIONS AND ABBREVIATIONS

3.1 Definitions

Appeal

- Remedy requiring a higher court to verify the legality and merit of a decision to annul or amend it.
- act of an organization requiring TRBA to review a decision on the certification or the way to resolve a complaint in order to annul or amend this decision.

3.2 Abbreviations

TRBA- TASNEEF-RINA Business Assurance LLC

QMS - Quality management system.

4. NORMATIVE REFERENCES

ISO/IEC 17021-1:2015 - Conformity assessment - Requirements for bodies providing audit and certification of management systems.


GSO UAE.S 2055-2:2016 – Halal Products – General Requirements for Halal Certification Bodies;

5. PROCEDURE

5.1. Overview

5.1.1. The TRBA policy in the area of appeal treatment is based on the following essential principles:

- Impartial and confidential appeals treatment;
- The right and free access of all clients to address appeals relating to TRBA decisions on certification decisions or the resolution of a complaint;
- Timely resolution of appeals;
- The enterprise of corrective and preventive actions to be imposed if nonconformities are found in the TRBA certification activity;

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-The obvious, access and retention of all records relating to appeals.

5.1.2. Economic agents may make appeals to the TRBA decisions regarding the certification of management systems, if they disagree with the TRBA measures that affect them.

5.1.3. Appeals are received at the TRBA headquarters, in the written form.

5.1.4. Appeals must be submitted within 5 days from the date of communication of that decision and shall be accompanied by documented evidence.

5.1.5. No appeals can be made when the deadlines stipulated in the TRBA decisions are exceeded.

5.1.6. TRBA solve appeals within 30 days of receiving and registering them and communicate in writing to the economic agent the decision of the Appeal committee. In special situations, at the request of the Appeal committee, the term of settlement may be extended, this situation being communicated to the appellant.

5.2. Appeals Recording

5.2.1. The TRBA secretariat receives the appeals and checks its content to ascertain whether it contains information on:

- The name of the organization;
- Full address;
- Specifying the drawing/ appeals date;
- Signature of the appellant

5.2.2. If the TRBA secretariat ascertains the lack of some of these data, request their completion by the appeals.

5.2.3. The appeals are registered by the TRBA secretariat in the Register for complaints/appeals, assigning a registration number and communicating to the appellant for its receipt and Registration.


5.3. Committee of Appeal

5.3.1 The appealing Committee, it works as an independent decision-making body of TRBA and is responsible for the correct analysis and settlement of appeals.

5.3.2 The establishment and functioning of the appealing committee shall be carried out according to the "Rules of the establishment and functioning of the Appeal committee".

5.3.3 On the basis of the responsibilities established, the Appeal committee exercises this right within the TRBA, having the obligation to analyze and resolve the Appeals addressed to TRBA under the following conditions:

- The Appeals are analyzed which are submitted TRBA within 5 working days of notification of the decision;
- The subjects proving to be based on the APPEAL are analyzed;
- The presentation of the appeal does not directly affect the suspension of the contested decision.

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5.3.4 The component of the Appeal Committee is communicated to the appellant in order to eliminate conflicts of interest or situations that may affect the impartiality and objectivity of the decision of the appealing Committee.

5.4. Analyzing Appeals and adopting judgment

5.4.1. The Committee of Appeal shall be meets at the request of the General Manager for the analysis and settlement of the appeal received.

5.4.2. Depending on the nature of the appeal, to resolve it in a competent manner, the Appeal Committee may make an additional analysis through a technical consultation of the subject (their) mentioned in the appeal.

5.4.3. The Committee will have at its disposal the appeal of the claim, this procedure, the procedures of the TRBA management system on certification, supervision and recertification, the economic agent's documents (audit report and nonconformities sheets other documents which may constitute references to decision making).

5.4.4. In the analysis of the appeal, the Appeal Committee may request the economic agent to submit any documents deemed necessary for the taking of a duly substantiated decision.


5.4.5. The Appeal Committee shall examine the form and content of the documents at its disposal on the decision of the TRBA in question and based on the technical and legal considerations which compete in assessing the content of the appeal (If it deemed necessary results of previous similar appeals may also be considered), check compliance with the TRBA procedures and takes, where appropriate, a decision approving or rejecting the Appeal to be communicated to the parties concerned (appellant, Management TRBA).

5.4.6. The Committee may decide to postpone the acceptance of the decision, for a later date, if a competent analysis of the technical expert or the execution of an on-the-spot audit is required. The decision is communicated to all parties involved (appellant, TRBA Management).

5.4.7. The President of the committee of appeals, for information, presents in the first ordinary meeting of the Certification Committee, the decision of the Appeal Committee with observations and the final decision.

5.4.8. Within 3 days from the end of the Committee's work session, the President of the Committee shall forward to the General Manager the decision on the appeal who is responsible to ensure that appropriate correction and corrective action has taken

5.4.9. The letter of reply signed by the General Manager with the decision of the Board of Appeal shall be transmitted to the appellant through the TRBA secretariat.

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5.4.10. The TRBA secretariat shall keep records of all appeals that have been analyzed and resolved by the Appeal Board, in the Register of Complaints and appeals, and the related documents (complaints, appeals, minutes, etc.) are archived in the Appeal folder.

5.5. Challenging the decisions of the Appeals Committee

5.5.1. In the situation where the appeals consider that the appeals have not been resolved in a manner that satisfies him, he may reject the TRBA decision and may address a mediator or the competent courts, triggering a dispute that will be resolved in accordance with Provisions of the legislation in force.

5.6 Terms and Conditions of Appeals Review Committee:

5.6.1 Appeals against decisions made by the Complaints Committee are not automatic and all requests for such appeals are evaluated according to the criteria mentioned above. Only when the Appeal/Review Committee is convinced that one or more of these criteria apply the appeal will be heard.

5.6.2 Please note also that a decision taken by the Appeal/Review Committee is final and that no Appeal will be accepted to this decision.

5.6.3 After the appeal outcome is issued and appellant is notified, appellant is informed that he is able to address related accreditation bodies in case of dissatisfaction.

5.6.4 For the HALAL Scope; Final decision on appeal shall be taken in consensus, if not obtainable, the Islamic Affairs personnel has the casting vote

6. RESPONSIBILITIES

6.1. SVP Technical

- Submit the appeal to the Committee's analysis of the appeal;
- Transmit the letter of the answer to the appellant;
- Inform GM and Board of Directors on the status of appeals.

6.2. Appeal Committee

- Solve appeals addressed to TRBA;
- Request, if any, obtaining additional information;
- Submit to the SVP - Technical how to resolve the appeal for transmission the answer to the claim;
- Ensure that all information related to the stage of treatment of the appeal is provided at the request of the applicant.

6.3. Halal Appeal Review Committee

- Halal appeal review committee will be composed of members appointed by the General manager, at least it may include following staff members: General Manager, Technical Director (SVP), Halal scheme leader, Halal Islamic Affairs Expert, Technical Auditor (Note: only that auditor/ Halal Islamic affairs expert who has not participated in in complaint review process)
- Solve appeals addressed to Halal certification;
- Request, if any, obtaining additional information;
- Submit to the SVP - Technical how to resolve the appeal for transmission the answer to the claim;

-Ensure that all information related to the stage of treatment of the appeal is provided at the request of the applicant.

6.4. Regulatory Affairs Coordinator

- Register the appeal in the Register of complaints and appeals and appeals and confirm receiving and registering the appeal;
- Make available to the appeal committee the necessary work documents, such as: appeal, The certification dossier of the economic agent, the procedures of the Management system TRBA and necessary working forms, etc.;
- Ensure registration, multiplication and transmission of the letter with the decision of the Appeal Committee;
- Retrieves the documents resulting from a work session of the appeal committee, Register and put them in the file of the Committee of Appeal.

7. ANNEXES

7.1. Documents resulting from the Appeal treatment process are recorded and are retained by the TRBA.