

	<h1>Appeal &amp; Complaint and Disputes</h1>	Doc. Nr	GP 05
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## 1. PURPOSE

This procedure describes the method and responsibilities to deal with appeals, complaints and disputes from clients under ETKO certification programs, or any other related matters. Related parties may object to ETKO decisions.

## 2. RESPONSIBILITIES

Quality Management System Responsible (QMSR), Office Manager (OM) and Application Manager (AM) are responsible for the proper implementation of this procedure.

## 3. RECORDS

GP 05 F 01 List of Appeal Committee Members  
 GP 05 F 02 Register of Sanctions, complaints and appeal form  
 GP 05 F 03 Application Form for Objection & Complaint & Appeal

## 4. REFERENCES

SP 06 Corrective & Preventive Actions Procedure

## 5. APPLICATION <sup>7.13</sup>

ETKO implements this procedure to receive, evaluate and make decisions on complaints and appeals. ETKO records and track complaints and appeals, as well as actions undertaken to resolve them. <sup>7.13.1</sup> Complaints and appeals are recorded in Register of Sanctions, complaints and appeal form GP 05 F 02 and followed by QMR and/or an assigned personnel. All related documents are kept in a file opened for this specific case.

This procedure is kept available for the access of the interested bodies.

### 5.1 Acceptance of Appeals, Complaints and Inputs.

#### • Complaint Receive and Evaluation

Complaints are received through a variety of media including phone calls, letters, email, in person, or passed down from person to person. All persons submitting complaints are treated professionally, and their complaints are handled seriously. Complaining parties are requested and encouraged to submit complaints in writing, to be factual and detailed, and to sign their complaints. Most complaints are received by phone, obtaining pertinent, detailed information.

Any client feedback in relation to the followings will be treated as complaint and action will be taken.

- The standard service provided by ETKO (satisfactory / unsatisfactory)
- Failure by ETKO to provide an agreed service
- Failure by ETKO to respond to a request for a service

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- The attitude or conduct of an inspector has been unacceptable
- ETKO has not followed an agreed procedure
- Violation or inequitable application of the ETKO Quality System
- Not accepting decisions taken by ETKO,
- As regards the certified products; The producers, operators and consumers are in a state of contradiction in any quality parameters and / or trade.

Appeals, complaints and disputes are considered as application of the producer, processor and consumers to ETKO, State Officials and Accreditation body in respect of certified products, dissatisfaction with the service provided by ETKO, identifying an irregularity such as a quality parameter and/or fraudulent trade activities related to certified product within the scope of certification procedures. First evaluation is done by QMR and MD and results are communicated by an official letter to the applicant whether it is related to certification activities for which are responsible. 7.13.2. This letter is the acceptance of the complaint and appeal formally. 7.13.3. ETKO will be responsible for gathering and verifying all necessary information (as far as possible) to progress the complaint or appeal to a decision. . 7.13.4

Appeals are considered to arise with respect to decisions made by ETKO, on the following areas. ETKO may inform related official bodies such as Ministry of Agriculture, Accreditation body, or other related certification bodies.

- Refusal of an application
- Failure to recommend certification
- Suspension, withdrawal, cancellation of a certificate
- Non acceptance of the scope of a Supplier, as applied
- Non acceptance of a NCR
- Detection of residues above the residue limits in products
- Doubt related to status of the product
- Doubt related to traders of the certified products
- Failure implementation by ETKO to the contract obligations which is signed.
- Complaints and Disputes of the ETKO certified operators clients
- Similar occurrences

5.1.1 Any client or outside party wishing to raise an appeal, complaint and dispute against a decision taken by ETKO including certification decision, program application is expected to inform ETKO management about his intention, in writing to ETKO Managing Director or QMS Responsible. Such an appeal complaint and dispute needs to be supported by all available evidence, by the client raising the appeal complaint and dispute.

5.1.2 Upon receiving the appeal complaint and dispute, QM investigates the case, contacts with MD and when applicable relevant accreditation body and/or standard owner organization to solve the appeal. If the appeal is solved by QM/MD and or relevant

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standard owner organization and/ or accreditation body (AB), the Certifier is informed by QM, as appropriate.

- 5.1.3 If QM and/or MD, and relevant standard owner organization and/ or AB is unable to solve the appeal, complaint and dispute, then QM reports the case together with the evidences provided by client, to the Certifier.
- 5.1.4 The Certifier decides whether to accept or reject the appeal, complaint and dispute based on the evidences provided by client and QM report.
- 5.1.5 If the Certifier decides to reject the appeal, complaint and dispute (does not accept the client's claims...) Appeals Committee (APC) is established. The decision of the Certifier is conveyed to client in writing, and to relevant standard owner organization and/ or AB.

Maximum 4 weeks is allowed between receive of an appeal complaint and dispute in writing by QM and accepting or rejecting of the appeal, complaint and dispute by QM, the Certifier or relevant standard owner organization and/ or AB.

- 5.1.6 If the Certifier accepts the appeal, complaint and dispute the decision is taken at the discretion of the Certifier, in not more than 4 weeks duration.
- 5.1.7 In case of rejection of the appeal, complaint and dispute not more than 4 weeks is allowed between the decision of the Certifier and final decision of Appeals Committee.

## 5.2. Appeal Committee Function

APC is set for the purpose of the decision resolving the complaint or appeal made by, or reviewed and approved by, person(s) not involved in the certification activities related to the complaint or appeal. <sup>7.135</sup>

- 5.2.1 The chairman of Appeal Committee (APC) is the management Director. APC is consisting of 5 members including the chairman. The members are selected by chairman:

- Chairman
- Three members independent of ETKO ( one shall be lawyer)
- QM

- 5.2.2 The APC members are selected on the basis of their expertise on the field, subject processes, their ability to render a decision in an objective and impartial manner. No one of the members of APC shall have a direct interest in the organization raising the appeal. Under such circumstances that member is replaced. The list of AC members

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shall be provided to client in writing who shall have the right to reject any member on the basis of conflict of interest only.

- 5.2.3 APC members are provided with the report of QM on the subject and evidences provided by client, prior to the AC meeting.
  
- 5.2.4 During the appeals meeting the client and head inspector has the right to present verbal evidences based on the documents or any other objective evidences submitted previously. Minutes of meeting is taken appropriately and maintained. APC has the right to call upon the services of experts in the relevant field. Such experts shall be independent of ETKO and the client. The appeals committee decides either TO ACCEPT or NOT TO ACCEPT the appeal.
  
- 5.2.5 The decision is taken by majority vote and it is unanimous. The decision is conveyed to Client by MD in writing.
  
- 5.2.6 Appeal Committee decision is final.
  
- 5.2.7 Whenever possible, ETKO gives formal notice of the outcome and end of the complaint and/or appeal process to the complainant and/or appellat. 7.13.7 - 7.13.8

### 5.3. Costs

Cost of the appeal, complaint and dispute is borne by ETKO if appeal, complaint and dispute is succeeds. Otherwise the cost is at the decision of ETKO if the client fails.

### 5.4 Corrective Action

Corrective & Preventive Actions Procedure SP 06 is followed after the appeal, complaint and dispute if QM believes that corrective action is required. 7.13.9

### 5.5 Confidentiality and preventing Conflict of Interest

Any document or any other evidence related with the appeals is strictly confidential.

ETKO shall not disclose any information or samples, materials, document to other parties, unless it is enforced by the law of the land and accreditation bodies.

All Members of APC signs relevant documents for confidentiality and conflict of interest, as described in GP 08 Confidentiality and Conflict of Interest Procedure.

To ensure that there is no conflict of interest, the personnel including those acting in a managerial capacity who have provided consultancy for, or been employed by a client, is

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prevented from being used by ETKO 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.

7.13.6

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