



## Appeals, Complaints and Disputes Handling Process

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## **Appeals, Complaints and Disputes Handling Process**

### **Purpose**

To define a procedure to ensure that appeals, complaints and disputes with clients or any interested party are promptly dealt with.

### **Scope**

Applicable to all services provided by ControlCase Infosec (CC IPL) and ControlCase Assessments (CCA). And the process to complain with accreditation bodies (NABCB, RVA & ANAB) as per the accreditation body procedure.

### **Responsibility**

As noted in detail.

### **1.0 Appeals, Complaints & Disputes:**

ControlCase would endeavour to provide efficient and satisfactory services as detailed in the Request Form; however, if it is felt that any decision or the conduct of ControlCase is unjust and prejudicial to any party, that party can appeal to ControlCase and seek redressal. These appeals are to be sent to ControlCase in writing.

Appeals, complaints, and disputes brought to ControlCase's attention are promptly dealt with and remain confidential. Information about the client from sources other than the client is kept confidential. This procedure applies to decisions pertaining to certification, including maintenance.

It is ensured that personnel are not employed to investigate any appeal, complaint or dispute if they have been directly involved in the activities towards the Organization or any other party involved in the appeal, complaint or dispute in question within the certification cycle.

It is ensured that submission, investigation and decision on appeals and complaints shall not result in discriminatory actions against the appellant/complainant.

In situations where appeals or complaints cannot be resolved by the Management Representative or the ISO Head, they shall be referred to the Director. Further, they shall be referred to the Committee for Safeguarding Impartiality.

A summary of appeals/complaints received and actions taken/completed is forwarded to the Management Representative for presentation in the Management Review meeting. Actions decided in the Management Review meeting are implemented for further effectiveness.

### **1.1 Appeals:**



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- 1.1.1 "Appeal" means "any request for review conveyed in writing, against a decision made by ControlCase considering the explanation provided by the client". This may be either during the course of the audit at the client's premises or any work pertaining to ControlCase.
- 1.1.2 Appeals can be due to:
- a) Refusal of an audit by ControlCase;
  - b) Non-acceptance of the scope of certification;
  - c) Decisions made on misuse, suspension, withdrawal, cancellation, extending and reducing the certification;
  - d) Failure to recommend certification by ControlCase;
  - e) Notification by any third party/interested party against the grant of certification by ControlCase.
- 1.1.3 Any appeal from the client or interested parties seeking redressal when received is recorded and acknowledged by the ISO Head. The appeal should contain all available documentary evidence. ISO Head will be responsible for gathering and verifying all necessary information related to the complaints to validate the appeal. Any such appeals referred to management are examined in fairness and reviewed by the ISO Head and any other personnel as required, either separately or jointly. The appellant may be asked to withdraw the appeal if found not relevant. Actions shall be initiated by the ISO Head to resolve the appeals within a stipulated period of 3 months.
- 1.1.4 Resolution of Appeal shall be handled in the following manner:
- An attempt is made by the team leader to resolve the issue at the audit site. If the appeal is not resolved, the matter is taken up to the ISO Head. In case the ISO Head is unable to resolve the appeal, the same shall be referred, with all information (including documentary evidence) to the Director. If an appeal is not resolved, then the matter is taken up to the Committee for Safeguarding Impartiality.
- 1.1.5 ISO Head tracks and maintains a record of all appeals along with remedial actions pertaining to the certification system and keeps the appellant updated about the progress and outcome.
- 1.1.6 ISO Head identifies problems requiring any actions to prevent the recurrence of the above for corrective action (and preventive action if required) commensurate with the nature and risk involved. These include measures such as:
- Restoring conformity to the certification system process
  - Assessing the effectiveness of remedial/corrective actions taken.



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1.1.7 A formal notice of the conclusion of the appeal handling process shall be provided to the appellant.

### 1.2 Complaints:

1.2.1 Normally, complaints (dissatisfaction expressed by a person or the Organization) are made to ControlCase. Any complaint received by ControlCase, whether it pertains to ControlCase functions or the certified Organization, would be treated in all seriousness and investigated. The ISO Head records these complaints, and the complainant would be informed of the receipt of the complaint and advised on the investigation required within a reasonable time of 1 month. The ISO Head initiates actions for resolving & restoring conformity to the Management System and closing the complaint within three months of receipt unless delayed for a specific reason. The results and actions taken/completed are communicated to the concerned parties accordingly. ISO Head will be responsible for gathering and verifying all necessary information related to the complaints.

1.2.2 For complaints received against certified Organizations, the ISO Head may decide to:

- a. Advice to visit / audit may be planned to ascertain the actions taken and ensure the effectiveness of the certified management system.
- b. Advise verification of actions taken during the forth-coming surveillance audit.
- c. *The ControlCase shall require the certified client organization that, on receipt of a complaint, the certified client organization shall establish and, where appropriate, report on the cause of the complaint, including any predetermining factors within the client organization's ISMS. The ControlCase shall ensure that the client organization is using such investigations to develop remedial/corrective action, which shall include measures for*
  - i. *notification to appropriate authorities if required by regulation;*
  - ii. *restoring conformity;*
  - iii. *preventing recurrence;*
  - iv. *evaluating and mitigating any adverse security incidents and their associated impacts;*
  - v. *ensuring satisfactory interaction with other components of the ISMS;*
  - vi. *assessing the effectiveness of the remedial/corrective measures adopted.*

*The certification body shall require each client organization whose ISMS is certified to make available to the certification body when requested, the records of all complaints and corrective action taken in accordance with the requirements of ISO/IEC 27001*

1.2.3 Any such complaints referred to management are fairly examined and reviewed by the ISO Head and any other personnel as required, separately or jointly. The complainant may be asked to withdraw the complaint if it is irrelevant. A complaint received after the date it was received is to be dealt with within three months.



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- 1.2.4 Resolution of Complaint shall be handled in the following manner:
- a) The team leader attempts to resolve the issue at the audit site. If the appeal is not resolved, the matter is taken up to the ISO Head, who analyses and initiates correction, corrective action / preventive action. In case the ISO Head is unable to resolve the Complaint, the same shall be referred, with all information (including documentary evidence), to the Director. If the appeal is not resolved, then the matter is taken up to the Committee for Safeguarding Impartiality
- 1.2.5 The ISO Head tracks and maintains a record of all complaints and remedial actions regarding the certification system and keeps the complainant updated about the progress and outcome.
- 1.2.6 ISO Head identifies problems requiring any actions to prevent the recurrence of the above for corrective action (and preventive action if required) commensurate with the nature and risk involved. These include measures such as:
- a) notification to appropriate authorities as required by regulation
  - b) restoring conformity to the certification system process
  - c) preventing recurrence;
  - d) evaluating and mitigating any adverse incidents (including hazards, safety & security) and their associated risks and impacts
  - e) ensuring satisfactory interaction with other components of the Management System
  - f) Assessing the effectiveness of remedial/corrective actions taken.
- 1.2.7 In case of complaints relevant to the public interest, the certified organization and the complainant shall be consulted, and if felt necessary, information about the complaint and its resolution will be made available for public viewing.
- 1.2.8 A formal notice of the conclusion of the complaints handling process shall be provided to the complainant.
- 1.2.9 ControlCase shall be responsible for all decisions at all levels of the appeals, complaints and disputes handling process.
- 1.2.10 Submission, investigation and decision on complaints shall not result in any discriminatory actions against the complainant.



## **Appeals, Complaints and Disputes Handling Process**

### **1.3 Disputes:**

- 1.3.1 Disputes here convey disagreement and apply to certification process decisions made during the course of the audit, including document adequacy.
- 1.3.2 The team leader is authorized to resolve the dispute and conclude the audit effectively.
- 1.3.3 The dispute, if not resolved adequately by the team leader, can be brought to the notice of the ISO Head as an appeal. The ISO Head shall resolve the matter through the appeal handling process (as described in earlier sections )
- 1.3.4 Resolution of Complaint shall be handled in the following manner:
  - a) The team leader attempts to resolve the issue at the audit site. If the dispute is not resolved, the matter is taken up by the ISO Head, who analyses and initiates correction, corrective action, or preventive action. In case the ISO Head is unable to resolve the dispute, it shall be referred, with all information (including documentary evidence), to the Director. If the dispute is not resolved, then the matter is taken up by the Committee for Safeguarding Impartiality.

### **1.4 Addressing All Appeals, Complaints and Disputes at CSI Level:**

- 1.4.1 The Committee for Safeguarding Impartiality meetings are convened.
- 1.4.2 If any, a summary of appeals, complaints and disputes is reviewed, as part of the routine agenda, in all CSI meetings for adequacy of actions taken and for any suggested improvements
- 1.4.3 During the course of resolving any appeals, complaints, and disputes, if a decision is made to refer to CSI specifically, this aspect will be specifically reviewed. If required, a special session is convened.
- 1.4.4 At least two members of the CSI (Appeals committee), two members from CCIPL/CCA and a client representative, if any, will have to be present when the appeal, complaint or dispute is taken up, and none of them will have any interest in the party making the appeal, complaint or dispute. In case an appellant submits to ControlCase motivated objections in writing against a certain member, this member, during the duration of the appeal, shall withdraw in favour of a substitute if the objections are judged to be well founded.
- 1.4.5 The Impartiality Committee's decision is final and binding on both parties. It is communicated to the concerned parties and implemented.



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### 2.0 Process to complaint Accreditation Body

- a) A written complaint relates to an action with respect to the complainant and meets the requirements of the accreditation body.
- b) The complaint should be signed and contain at least the name and address of the person submitting the complaint, the date, and a description of the action to which the complaint relates.
- c) The accreditation body will not entertain complaints if it is related to:
  - I. Complaints relating to clients of organisations accredited or accepted by the accreditation body;
  - II. Notifications of an interpretation dispute. These are handled according to the accreditation body's procedures.
  - III. If the matter of concern/complaint passed by more than a year.

<b>Reference Documents</b>
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Complaint Log Register
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