

Complaints and Appeals

Issue No: 04	Issue Date: 17.06.16	Effective Date: 22.02.19	Review Date: 21.02.23
Author: Warringtonfire Testing and Certification Limited		Approved: P. Duggan Certification Manager	Authorized: K. Prendergast Divisional Director, Certification

Complaints

Warringtonfire Testing and Certification Limited (from here on in referred to as Warringtonfire) is committed to the timely resolution of all complaints received relating to its accredited and other services. It is the responsibility of all members of staff to make Management aware of instances of a complaint by a client or other parties.

- i. All complaints should be in writing (includes electronic correspondence), and addressed to the Warringtonfire Quality Manager. The Quality Manager will notify other relevant parties as deemed appropriate.
- ii. Warringtonfire will acknowledge receipt of formal complaints.
- iii. Upon receipt of a complaint, Warringtonfire will confirm whether the complaint relates to activities for which it is responsible and, if so, shall address it.
- iv. Where the decision is taken that the complaint is valid, the Quality Manager will add the details to the Warringtonfire Quality Management System and a reference number obtained.
- v. The Quality Manager will assign the complaint to a relevant person and will initiate corrective action to address the complaint.
- vi. It is the responsibility of the Warringtonfire Manager to ensure that complaints are fully investigated and that action is taken to investigate the root cause. Records shall be maintained of all information pertinent to the complaint. Complainants shall be kept informed as to the progress of the investigation and of any corrective actions taken to prevent recurrence.
- vii. Where the decision is taken that the complaint is not justified, Warringtonfire will notify the complainant in writing of their decision. The complainant shall be offered the facility to appeal against the decision in which case the Appeals Procedure shall be invoked, should the complainant decide to appeal against the decision.

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Appeals

Applicants and certificated manufacturers have the right of appeal against any decision made by Warringtonfire. In order to invoke this procedure the appellant shall accept the following procedure:

- i. Notice of any appeal shall be made in writing (includes electronic correspondence), and addressed to The Warringtonfire Quality Manager within 14 days of official notification of the decision. The appellant shall clearly set out the grounds for the appeal and shall enclose a cheque for £1,500 made payable to Warringtonfire Testing and Certification Limited to cover the costs of the appeal (refundable only where the Appeals Panel finds in favour of the Appellant).
- ii. The appeal shall be reviewed by the Warringtonfire Manager (who may consult the Chairman of the Warringtonfire Impartiality Committee), who may contact the appellant to discuss the grounds for the appeal and may request further details if he believes there is insufficient information on which to make a judgment.
- iii. The Warringtonfire Manager shall attempt to resolve the appeal within 1 month of receipt of the written appeal. If the situation can be resolved to the satisfaction of both the appellant and Warringtonfire within 1 month of receipt and it does not progress beyond this point, the fee is refunded.
- iv. In the case of resolution, the Warringtonfire Manager will write to the appellant confirming the outcome of the appeal and will refund the £1,500 fee. If the appeal can be resolved as detailed above no appeals panel shall be constituted.
- v. If the Manager's review fails to resolve the appeal, the manager shall contact the Warringtonfire Impartiality Committee Chairman and request the constitution of an Appeals Panel. Warringtonfire shall endeavour to facilitate hearing of an appeal by an Appeals Panel within 3 months of receipt of the written grounds for appeal.
- vi. An Appeals Panel specifically constituted for hearing an appeal, which cannot be resolved by the Warringtonfire Manager, will comprise three members of the Warringtonfire Impartiality Committee, as selected by the Chairman. They will be selected such that no member has any direct or indirect commercial interest in the appeal. The Chairman of the Impartiality Committee will not be a member of the Appeals Panel but he will nominate one of the three members as the Appeals Panel Chairman.

An Appeals Panel convened from members of the Warringtonfire Impartiality Committee is a wholly independent body not employed by Warringtonfire. The members of the Impartiality Committee:

- are not employed by Warringtonfire;
- are not paid by Warringtonfire;
- act independently of Warringtonfire's day to day business activities;
- Give of their time voluntarily to monitor the activities of Warringtonfire as an "independent body of individuals representing various interests" overseeing Warringtonfire activities.

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- vii. The Impartiality Committee is formed from a group of Enforcers, Regulators, Manufacturers, Insurers, Users / Specifiers who act as a voluntary committee to oversee impartiality across the activities of Warringtonfire.
- viii. When the subject of the appeal involves technical matters, the Impartiality Committee Chairman may arrange for one or more persons having suitable technical expertise to be available for consultation by the Appeals Panel. In such cases the Chairman will ensure that the persons nominated have no previous involvement with the certification issue in question.
- ix. The appellant will be notified of the proposed date of the appeal hearing, the composition of the Appeals Panel and any technical advisors to be made available to the panel not less than 14 days before the date of the meeting. The appellant may challenge the composition of the panel and/or the technical advisors within 2 days of being informed of the composition and shall provide written reasons for any challenge.
- x. The Appeals Panel Chairman will consider the reasons for any challenge and at his sole discretion will decide whether the composition of the Panel or technical advisors will be changed. In choosing any replacements, the Appeals Panel Chairman will take into account the reasons for the challenge to ensure that as far as possible the same objections will not apply to the replacements. No further challenges will be considered.
- xi. The appellant has the right to be supported at the hearing of the Appeals Panel by a representative of his choice. Any such representative shall be notified to the Chairman of the Appeals Panel 14 days prior to the hearing. The Chairman has the right, on behalf of the Appeals Panel, to challenge any such nomination.
- xii. The decision of the Appeals Panel will be decided by a simple majority and the decision will be final.
- xiii. The Warringtonfire Manager will be responsible for arranging the timing and location of the hearing by the Appeals Panel which will be advised to the appellant at least 7 days in advance.
- xiv. The original decision will remain in force pending the meeting of the Appeal Panel at which the appellant, the Warringtonfire Manager and any other relevant member of Warringtonfire will be entitled to be heard in confidence. The Warringtonfire Manager or any other person nominated by the Appeals Panel will be responsible for implementing the decision of the Panel. The Chairman of the Appeals Panel will ensure that the appropriate action is correctly implemented.
- xv. The Appeals Procedure above accommodates an appellant who is resident in UK/Europe. If an appeal needs to be heard for an appellant who is resident elsewhere in the world, other arrangements may be made whereby an appeal is heard locally if a more convenient representative office of Warringtonfire is available. In the event that this happens, which will be at the discretion of the Chairman of the Impartiality Committee, the appellant will be advised of the procedure and timescales.

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