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BAB OPERATING PROCEDURES FOR DISPUTES AND APPEALS

Revision 01

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1.0 THE POLICY

1.1 Objectives

The following BAB quality objectives govern the implementation of this policy:

- BAB will establish and maintain a formally recognized quality system that supports the attainment of the BAB Mission, supports BAB operations, and meets international guidelines and best practices;
- BAB will deliver cost-effective, internationally recognized CAB accreditation services;
- BAB will deliver cost-effective, internationally recognized proficiency testing services; and
- BAB will deliver cost effective and reputable training to meet identified member needs, and in support of other BAB programs.

1.2 Definitions

Appeal: (from ISO/IEC 17011, clause 2.5.4) Any written request by a participant CAB for BAB to reconsider an accreditation decision, a published BAB policy, or a appeal adjudication decision made by BAB.

1.3 Principles

1.3.1 Universal Application

BAB encourages individual and broad input concerning improvements to its programs. All BAB decisions are subject to request for reconsideration. However, once an appeal has been adjudicated by a duly appointed Appeal Panel, that decision is final and not subject to reconsideration.

All BAB programs acquire and track member feedback in support of program measurement metrics. This feedback is normally reported to the Board of Directors during the annual Management Review.

BAB logs all feedback it receives. This includes feedback that expresses either satisfaction /dissatisfaction, or requests for BAB to reconsider a decision that the association has rendered on any subject.

In rendering decisions resulting from Appeals and appeals received, the primary aim of the decision taken will be the maintenance of the integrity and credibility of BAB programs. BAB programs are based on international standards and best practices. They embody fairness to all participants.

1.3.2 Responsiveness

BAB will respond to all Appeals and appeals in a timely manner.

1.3.3 Transparency and Systematic Approach

BAB deals with Appeals and appeals using separate but similar approaches. These approaches follow well-established international conformity assessment protocols in arriving at an appropriate decision. All information contained in a appeal or appeal will be held confidential to the BAB officials involved in the review and adjudication of the appeal or appeal.

Records of Appeals and appeals are maintained in the logs established for the purpose. Program Managers can access them for the purposes of facilitating the decisions on all of these types of feedback by the appropriate level of authority within the association.

1.3.4 Based on Internationally Recognized Approaches

BAB will use the approaches described in internationally recognized documentation to receive, track and treat Appeals and appeals.

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1.3.5 Confidentiality

BAB will treat and maintain as confidential, all information received in the form of a appeal or appeal. Other types of feedback, especially feedback highlighting satisfactory or exemplary performance or circumstances, may be distributed for recognition.

1.3.6 Graduated Reconsideration of Decisions

A participant CAB requesting BAB to reconsider program decisions shall submit a written appeal. Appeals are addressed within BAB Programs by program staff.

A participant CAB requesting BAB to reconsider one of the following shall submit a written appeal:

- Accreditation decisions taken by the Accreditation Council;
- A published BAB policy; or,
- Decisions regarding a previously adjudicated appeal

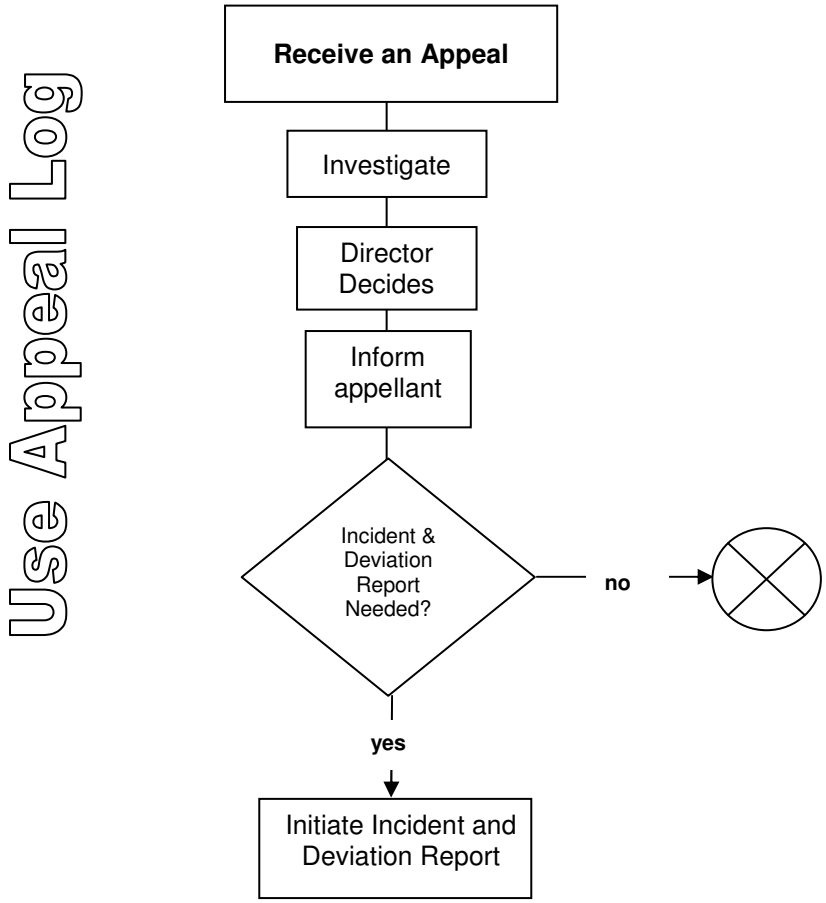
Appeals are adjudicated by an Appeal Panel, which shall be constituted from the BAB Board of Directors.

1.3.7 Decisions of the Director of the BAB Board of Directors are Final

Decisions of the Director will be final.

2.0 IMPLEMENTATION OF THE POLICY

2.1 Process Flow



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2.3 Appeals

Appeals may be submitted with respect to decisions made by BAB, or published BAB policies.

A CAB may submit an appeal of a decision rendered with respect to a appeal or an accreditation decision within 30 calendar days of receiving notice of the decision.

A participant CAB shall be entitled to submit an appeal regarding a published BAB policy at any time.

2.4 Appeals Log

All Appeals are received by the Quality Manager, who records the appeal in the Appeal Log.

Once all relevant documents have been compiled, the Quality Manager will record the appeal in the Appeal Log and shall forward the appeal and associated documents to the Director. The Appeal Log will include the date of the appeal, the name of the appellant, the issue, the date resolved, and the decision of the Director.

The Quality Manager maintains the Appeal log. The log and the documented Appeals and appeals form part of the information to be reviewed during the annual Management Review in accordance with QP-07 – Management Review.

2.5 Action upon Receipt

Appeals that are received are logged and an investigation initiated by the Director.

In the event that the Quality Manager believes that the issues raised therein may adversely affect the public image of BAB or call into question the integrity or credibility of any BAB programs, the Quality Manager shall immediately report the appeal to the Director General, whether or not they are able to resolve the appeal or appeal immediately.

2.6 Investigation And Adjudication

2.6.1 Initiating an Investigation of a Appeal or Appeal

The Director normally investigates appeals.

2.6.2 General Conduct of an Investigation

Investigations of Appeals are conducted with only one purpose in mind; to determine if the facts validate the appeal.

The Director gathers evidence on the appeal and retains it for adjudication. Evidence can be gathered from:

- a review of the existing BAB file;
- any new fact(s) presented by the appellant;
- contacting the appellant and requesting further information;
- contacting BAB personnel involved in the original decision, and/or
- contacting other third parties for information, if appropriate.

If the facts identify any weakness, shortcoming or non-conformance of the BAB QMS, an Incident and Deviation Report is to be raised to address it. See QP01 – Continual Improvement.

Investigation consists solely of comparing requirements to actual events. The only requirements that can be compared to actual events are those published BAB requirements that affect the required conduct of the organization or person that has initiated the appeal or appeal. Unpublished procedures and policies do not apply.

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From this comparison, the Director can establish whether the facts validate the appeal.

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2.6.3 Proposals for Remedy

If the Director is of the opinion that the facts validate the appeal, they shall include a proposal with respect to suitable remedies with the investigation findings.

2.6.4 Factors to be taken into Consideration during Adjudication

In considering whether or not the facts validate an appeal, the Director considers the following:

- whether the original decision was the same decision that the Director would have made in the same circumstances;
- whether the Director would make the same decision in the light of any new facts presented by the appellant or obtained in the course of the investigation; and
- whether the decision places unreasonable demands on the appellant.

Finally, the Director should consider whether the original decision affects the integrity and credibility of the BAB program under which the appeal or appeal is submitted.

2.6.5 Review and Adjudication of Appeals

Appeals are reviewed by the Director General. The appellant is informed the decisions of the Director and the resulting adjudication are documented as part of the Appeal Log entry for each appeal.

The Appeal decisions may be only one of the following:

- **deny** the appeal and uphold the original decision;
- **refer** the appeal to the Director General for decision as the issue is one that only the Director General can decide; or,
- **allow** the appeal and reverse or modify the original decision, or require BAB staff to modify an operational policy to bring it more into line with accepted practice.

If the facts validate the appeal, the Deputy Director of the affected program shall publish a new decision, if the authority for this decision is within their purview. This applies to Appeals addressed within the program only.

The investigation and the decisions of the Director are to be part of the Appeal Log entry for each appeal. The decisions of Director are final.

Each appeal is reviewed by the Director General immediately following the adjudication of the Appeal, regardless of the outcome.

2.7 Completion and Closure

2.7.1 Informing the Appellant/Appellant

Once a decision has been made with respect to an appeal, the Deputy Director of the affected program communicates the decision to the appellant. If necessary, revised documentation, such as an assessment report or PT report is then forwarded to the appellant. Staff shall ensure that the decision is communicated to the appellant as soon as possible after the decision is made.

In the case of an assessment appeal, the Deputy Director shall prepare the correspondence to communicate the decision to the CAB and arrange for a revised assessment report to be sent to the CAB, if required. The Quality Manager will then close the entry in the Appeal Log.

Assessment activity Appeals and supporting documentation are also maintained in the post-assessments folder for the current year. In the case of a PT appeal, associated documentation is also maintained in the folder for each study.

The Appeal Log tracks these actions and contains the details of each action taken.

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2.8 Review of Appeals

All appeals are reviewed during Management Review meeting immediately following the adjudication of the appeal, regardless of their outcomes.

2.9 Forms and Logs

The format of the Appeal Log associated with this procedure is found in XX.