

INTRODUCTION

This document outlines the processes to establish and maintain a system for handling complaints, disputes and appeals regarding Certification of Persons, Green Deal, Competent Person and Product Certification under the requirements of BS EN ISO/IEC 17024 and BS EN ISO/IEC 17065.

The Blue Flame Certification (BFC) employee receiving the complaint, dispute or appeal information is responsible for logging details whether directly received or through a third party and for notification of such to the Scheme Manager. The Management review team reviews all incidents and ensure any changes to operational procedures are implemented.

The Appeals Panel is responsible for consideration of all appeals and disputes of complaint investigations outcomes received from any party.

A dispute is defined as an argument or debate relating to an outcome of a complaint and will be resolved via the Appeals procedure defined in this document.

REFERENCES

- Scheme Rules (Personnel, Product)
- Citizens charter complaints task force publications:-
 - good practice guide - basic principles of effective complaints systems.
 - putting things right - executive summary.
 - effective complaints systems - principles & checklists.

COMPLAINTS, DISPUTES & APPEALS LOGGING

All complaints, disputes and appeals must be in writing and may be received:

- Direct to BFC from any source
- From a Third Party Assessment Centre
- Information supplied by a Scheme Registrar
- From a Green Deal / PAS 2030 / Competent Person Scheme (CPS) Approved Installer, Provider, Advisor, Green Deal Oversight and Registration Body (GD ORB), recipient of Green Deal measures or a consumer in receipt of self-certification work under the Ministry of Housing Communities & Local Government (MHCLG) Competent Person Scheme.

On receipt of a complaint, dispute or appeal the recipient shall record it electronically in the Complaints, Disputes and Appeals Log detailing the following information:

- Individuals Name;
- National Insurance Number (Certification of Persons Scheme);
- User of Product under BS EN ISO/IEC 17065 Product Approval;
- Approved Installer Name (Green Deal / PAS 2030 / CPS);
- Date of Receipt

INVESTIGATION OF COMPLAINTS OR DISPUTES

The complaint or dispute shall be investigated by the Scheme Manager considering the following guidelines:

Note: In the case of a complaint, dispute or appeal concerning the Scheme Manager a Director of BFC shall investigate and in the case of a complaint against a Director the Chairperson of the Governing and Impartiality Board shall investigate.

- All complaints or disputes shall be resolved to the satisfaction of the Scheme Manager (or other appropriate investigator) within the minimum possible period.
- In the event of a complaint being received concerning certification, BFC will confirm receipt of the complaint within 5 working days detailing:
 - BFC standards of service for conducting the investigation name and contact details of the person carrying out the investigation;
 - Where possible an estimated date for reporting its findings and any actions;
 - BFC will carry out its investigation in accordance with these procedures and standards of service and will as a minimum:
 - ❖ Review all relevant application, examination and assessment documentation completed by the certificated person named in the complaint;
 - ❖ Conduct and make a record of an interview with the person named in the complaint;
 - ❖ Where appropriate obtain and record evidence from other witnesses and / or persons relevant to the complaint (registration body inspector, customer, consumer, etc.)
- BFC will make any decision relating to the competence of the person named in the complaint based on objective evidence only.
- BFC will record the findings of the investigation, implement any required actions and advise the complainant of the outcome in writing, any actions taken and will confirm that these key lines of enquiry have been carried out.

A report shall be produced by the investigator indicating proposed corrective and preventive action proposals as necessary. The report format shall state:

- Complaint or dispute number;
- Complaint or dispute recipient;
- Individuals Name;
- National Insurance Number (Certification of Persons Scheme);
- User of Product under BS EN ISO/IEC 17065 Product Approval;
- Approved Installer Name (Green Deal / PAS 2030 / CPS);
- Date of Receipt;
- Complaint or dispute details;
- Corrective / preventive action taken;
- Comments;
- Name of who completed the report and the date completed;

The report shall be submitted for review to a Director of BFC for confirmation of findings, corrective and preventive actions and closure confirmation. If the Director(s) has been involved in the Certification decision process then the report will be submitted to the Governing and Impartiality Board for review and closure. The reviewer shall sign and date the report indicating that the investigation and actions are acceptable.

Following satisfactory review the report shall be filed in the Complaints, Disputes and Appeals File.

Results of the investigation shall be communicated to the Complainant in writing and other appropriate bodies, as required by the relevant Scheme Rules.

The Complaints, Disputes and Appeals Log shall be updated by the Scheme Manager. The Complaints, Disputes and Appeals File and Log shall be subject to internal audit.

An analysis of any complaint, dispute or appeal shall be compiled for presentation to each Management Review meeting by the Scheme Manager.

APPEALS

Appeals made as a result of an individual's complaint or dispute received from persons / bodies under BS EN ISO/IEC 17065 Product Approval or issues concerning a Green Deal / PAS 2030 / CPS Approved Installer and subsequent investigation findings not being accepted, will be handled as below.

- All appeals must be made in writing with a remittance of £200.00 within 5 working days after the results of a complaint or dispute investigation have been reported to the individual;
- All appeals will be logged by the Scheme Manager;
- An Appeals Forum consisting of a Director and the Scheme Manager (plus technical expertise appropriate to the Scheme concerned), will be convened for such appeals;
- Dependent upon the nature of the appeal, BFC may liaise as necessary with any Third Party to gather information as necessary;
- If in the event that as a result of a Gas Safe Register / OFTEC / Register of Gas Installers Ireland (RGII) investigation concerning BFC's processes for ACS, Oil or DGA Gas Schemes and Gas Safe Register / OFTEC / (RGII are required to attend an Appeals Forum they will be given at least 25 working days' notice for attendance;
- An Appeals Forum consisting of a Director and the Scheme Manager, plus technical expertise by attendance of an Independent Technical Reviewer (not directly employed by Blue Flame Associates or BFC) in the case of any appeals against any BS EN ISO/IEC 17065 Product Approval
- Appellants will have the right to be represented either by a colleague, trade union representative, personal friend or by legal representative;
- In the event that legal counsel is appointed, BFC retains the right to appoint its own legal representative;
- When the investigation has been concluded the Appeals Forum will inform the individual / company / installer verbally of the outcome and forward the decision in writing with a copy to a Director;
- The decision of the Director / Scheme Manager will be final;
- In the event of rejection of an appeal at any stage the Appellant will be responsible for fees incurred as a result of the Appeal(s);

- The outcome of all Appeals will be notified to the Governing and Impartiality Board at the next meeting of the Board;

Standards of service regarding complaints and appeals howsoever logged / raised / investigated are described within BFC Scheme Rules for BS EN ISO/IEC 17024 and BS EN ISO/IEC 17065 Schemes.

RECORDS

Records of all Complaints, Disputes and Appeals along with Management Review Reports shall be maintained for a minimum period of 10 years and any information about the client obtained from sources other than the client (e.g. from the complainant or from regulators) shall be treated as confidential.

BFC will confirm and place within the public domain (adhering to the requirements of the General Data Protection Regulations) via the Green Deal / PAS 2030 / CPS Approved Installer Scheme Rules and Contract the following information:

- Details of companies who have had approvals (or parts of approval), suspended or withdrawn;
- Confirmation that the details as outlined above will be submitted to the GD ORB for inclusion within the National Database of Green Deal / PAS 2030 Installers;
- CPS Registrants details will be notified to Local Authority Building Control (LABC) ensuring that other CPS providers are aware of any CPS Registrant being removed from a BFC CPS;
- Confirmation that a complaint(s) has been received and / or investigated;
- Upon request confirmation that an installer is in possession of BFC Approval, or otherwise, for the Green Deal / PAS 2030 Measures concerned;
- Any other information that has been confirmed by the Approved Installer that such information may be made available to the public domain.

GREEN DEAL / PAS 2030 ADDENDUM

If a potential breach of any of the BFC GD Scheme Rules by an Approved BFC Installer is reported to BFC by the GD ORB BFC will report within 10 days of progress and then thereafter every 10 days of progress.

If BFC notifies GD ORB that the Approved Installer has failed to comply with any requests made within the prescribed timeframe or any prolonged timescale but retains approval and certification, the Secretary of State may decide to impose sanctions upon the Approved Installer.

When BFC has determined that the Installer has duly failed to comply with any requests or has removed its approval and certification will inform GD ORB of this situation.

When the Approved Installer has failed to rectify any breach of the Green Deal / PAS 2030 Installer Scheme Rules as requested by either BFC or GD ORB they will inform the local Trading Standards Office.

Note: Records of suspensions or withdrawals of Certificates / Approval shall be maintained for a minimum period of 25 years (as per PAS 2031 : 2017)

END