



AKREDITIMI I KOSOVËS
ACCREDITATION OF KOSOVO

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PROCEDURE ON APPEALS

DAK-PR-006

APPROVED BY,

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1. PURPOSE

The procedure describes the organization and functioning of the Appeal Commission and the way an appeal to a decision or measure taken by DAK is treated.

2. SCOPE

The procedure applies to the members of the Appeal Commission and to all appeals made against a decision taken by DAK.

3. REFERENCES

The procedure is based on:

- SK ISO/IEC 17011:2014 "General requirements for accreditation bodies which accredit conformity assessment bodies" (Paragraph 7.10);
- Law no. 03 / L-069 on Accreditation and Law. 04 /L 007 on amending and supplementing the Law no. 03 / L-069 on Accreditation.

4. GLOSSARY AND ABBREVIATIONS

4.1 Glossary

For the purposes of this document are used the terms and definitions given in the Law no. 03 / L-069 on Accreditation and Law. 04 / L 007 on amending and supplementing the Law no. 03 / L-069 for accreditation, the standard of SK ISO 17011:2014.

Appeal – request by a CAB for reconsideration of any adverse decision made by the accreditation body related to its desired accreditation status.

Adverse decisions include:

- refusal to accept an application,
- refusal to proceed with an assessment,
- corrective action requests,
- changes in accreditation scope,
- decisions to deny, suspend or withdraw accreditation, and
- any other action that impedes the attainment of accreditation.

4.2 Abbreviations

DAK – Accreditation Directorate of Kosovo

CAB – Conformity Assessment Body

PC – Professional Council

5. RESPONSIBILITIES

The responsibilities of the personnel involved in the control of records are described in chapter 6 of this procedure.

6. DESCRIPTION OF PROCEDURE

6.1 Appointment of Appeal Commission

Appeal Commission is appointed by the Professional Council when an appeal is received by DAK.

The Appeal Commission is made of 3 persons, including the Chairman as follows:

- One legal adviser;
- Two persons from Professional Council who were not involved in the assessment.

One of the three appointed members is appointed Chairman by the Professional Council.

6.2 Criteria

The Appeal Commission shall fulfil the following criteria:

- be knowledgeable of the management system standards;
- shall have knowledge and experience in the respective technical field;
- shall not be in any conflict of interest for the appeal which is addressed,
- shall not be involved in any accreditation file,
- have the ability to hear information and identify key issues.
- have the ability to analyse information received and to use it to formulate opinions and conclusions.

6.3 Secretariat of the Appeal Commission

The Secretariat of the Appeal Commission is ensured by Director of Accreditation and Development Direction and will prepare the documents and information necessary for the appeal.

6.4 Confidentiality

The Members of the Appeal Commission shall declare any interest which may constitute a conflict with the appeal in which they are involved and shall sign the declaration on confidentiality of information.

6.5 Treatment of appeal

6.5.1 Appeal Commission meeting

An appeal may be submitted to DAK within 60 days since the decision was noticed to the party submitting the appeal.

DAK takes into consideration an appeal in case it contains the following information:

- identification of the appellant (address, telephone, fax, e-mail);
- subject of the appeal;
- arguments to support the appeal;
- evidences submitted for support the appeal;
- declaration stating that the appeal was not addressed to another entity and that the appellant did not address to the court against DAK;
- date of submitting the appeal;

- signature of the legal representative of the appellant.

General Director of DAK sends the appeal to the Chairman of Professional Council, who appoints the Appeal Commission which will deal with the submitted appeal.

The chairman of the Professional Council sends the appeal to the Chairman of the Appeal Commission requesting the Commission to treat the appeal within 10 days since the Chairman of Professional Council received the appeal.

Chairman of the Appeal Commission informs the members of the Appeal Commission and the appellant on the date established for the meeting of handling the appeal.

The Appeal Commission may request the DAK's assessment team members involved in the respective accreditation file to be present at the meeting when the appeal is discussed, to give arguments regarding the work performed.

The Chairman of the Commission introduces the participants and chairs the meeting. The meeting opens with a presentation by the Chair of the appeal received.

The appellant may be invited by the Commission to give arguments in order to support the appeal sent. The Commission members have the right to ask questions, but only when they are relevant to the appeal being dealt with.

The members of the assessment team of DAK may be invited to the Commission meeting to give arguments on the submitted appeal and the Commission has the right to ask questions. The members of the assessment team of DAK can support their arguments with documents, such as notes taken at the time of raising the non-conformity against the criteria of accreditation.

After the meeting is over, the Commission is debating alone in order to make the conclusion. The Commission draws the conclusions respecting the simple majority.

6.5.2 Communication of the decision

Within three working days after the meeting of the Commission the Chairman of the Appeal Commission shall send a written conclusion on the appeal to the General Director of DAK.

On the basis of Appeal Commission conclusion, the General Director of DAK makes the final decision and sends it to the appellant no later than one week from the date of receipt of the conclusion from the Chairman of the Appeals Commission. The decision of the General Director is final.

The appellant is informed in writing about decision taken by DAK.

The appellant may decide to address to the Court in case of a decision which is not in its favour, in accordance with the legislation in force in the Republic of Kosovo.

6.5.3 Monitoring and analysis

All correspondence arising from appeals is maintained by Director of Accreditation and Development Direction in the file of the respective appeals. If in the process of appeals is a need for corrective actions, these will be carried out according to the procedure DAK-PM-007 Internal Audit.

Quality Manager compiles a report related to appeals to the management review meeting. The report provides an update to all appeals received by DAK, including the recommendations on the actions to be taken.

7. ANNEXES

N/A

8. RECORDS

- PM-006-FO1 - Appeals Register.

9. HISTORY

Date of Edition	Prepared by	Description of applied changes
3.06.2015	Banush Neziri	The entire document was changed