



PROCEDURE FOR COMPLAINTS AND APPEALS

ED007 V8

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Definitions

Complaint:	i)	criticism of MIBoC procedure and/or
	ii)	criticism of a MIBoC invigilator or
	iii)	criticism of a MIBoC certificate holder
Appeal:	i)	against failure to certify
	ii)	against failure to renew or re-certify
	iii)	against withdrawal or cancellation of certification

Information for persons completing the appeals document

1. All complaints or appeals must be made in writing to the MIBoC Certification Manager, using the MIBoC Complaint/Appeal Form (ED010) and will be acknowledged in writing within 10 days of receipt of the completed form. Verbal complaints will not be accepted.
2. Complaints may be made by any individual (e.g. certificate holder, certificate holder's employer, or client of employer), against MIBoC, a MIBoC invigilator, or a MIBoC certificate holder.
3. Appeals may be made against a decision taken by MIBoC not to award a certificate, to withdraw or cancel a certificate, or not to renew a certificate.
4. The MIBoC Certification Manager will endeavour to deal with complaints and appeals without recourse to the Panel. Where this is not possible, or where the complainant or appellant insists, the matter will be put before a properly constituted Complaints and Appeals Panel.

Ordinarily, complaints are handled by correspondence with the person who submitted the complaint/appeal who may submit written representations. However, attendance in person (using video conferencing) before the Complaints and Appeals Panel may be arranged if resolution cannot be reached or if the complainant or appellant insists.
5. The appointed Panel will meet and review all relevant material within 42 days of receipt of the completed MIBoC Complaint/Appeal Form and decide upon action to be taken by the Certification Manager.
6. The Certification Manager shall provide to the complainant/appellant a written statement of the appeal findings, including the reasons for the decision reached, within 10 days of the Panel meeting. If a substantiated complaint is about a certified person, the Certification Manager shall also refer the complaint to the certified person in question.
7. Where the Panel cannot for whatever reason reach a decision, the matter will be referred to the MIBoC Scheme Committee.
8. If the complainant is dissatisfied with MIBoC's handling of the complaints process, the complainant may refer the complaint to the accreditation body JAS-ANZ (see www.JAS-ANZ.com.au for contact details).

MIBoC Complaints and Appeals Panel

1. Panel Constitution

- a) The MIBoC Complaints and Appeals Panel shall be constituted of not less than two ordinary members, plus the Certification Manager who shall facilitate the process. Panel members shall be drawn from either the Scheme Committee (if the complaint/appeal is procedural in nature), or the Technical Committee (if the complaint/appeal is technical in nature), or both.
- b) No person having a direct interest in the case of complaint or appeal in hand shall serve on the Panel. The Certification Manager shall chair the meeting of the Panel.

2. Terms of Reference

The Panel will be responsible to the MIBoC Scheme Committee for assessing individual cases of complaint or appeal.

3. Method of Working

- a) The Certification Manager will gather all necessary information from the parties concerned in order that the case can be fully assessed by the Panel.
- b) A meeting of the Panel shall be convened by the MIBoC Certification Manager in writing and shall take place within 42 days of receipt of a complaint. The meeting will be held using video conferencing if possible. However, if the time zones of the panel members preclude convening a video meeting, the Panel may discuss the complaint through electronic means, including email.
- c) The Panel shall take into consideration all of the material submitted when reaching a decision. Where the Panel is able to reach a majority decision, the Certification Manager will implement the decision and communicate it to the complainant/appellant.
- d) If the Panel is not able to reach a majority decision, the complaint/appeal shall be referred to the entire MIBoC Scheme Committee which shall decide the case by majority decision.