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PROCEDURE
ON
RESOLUTION OF COMPLAINTS

List of amendments

№	Date	Introduced amendment on page №	Proposed by		In force from	Signature Quality Manager
			Family name	Signature		
1.	01.01.2012	New version	Bogdanova Ilieva	/s/	01.01.2012	/s/

List of amendments

№	Date	Version 1 Revision 1	Proposed for amended	In force from
2.	27.01.2020	Revision 1	Structure change in Directorate ACAB	27.01.2020

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1. PURPOSE

This procedure regulates the order and manner of submission, registration, consideration and reaching a decision on reasonableness of complaints submitted at EA "BAS", as well as for information of the complainants.

2. AREA OF APPLICATION

The present procedure is applied to complaints, submitted in Executive Agency "Bulgarian Accreditation Service", regarding:

- The activity of EA "BAS";
- The activity of EA "BAS" employees – permanent or external (Lead Assessors/Assessors/Experts/Inspectors, etc.);
- The activity of accredited by EA "BAS" Conformity Assessment Bodies (Laboratories, Certification Bodies, Inspection Bodies, Environmental Verifiers, etc.);
- The activity of laboratories verified by EA "BAS" for conformity with the Good Laboratory Practice (GLP);
- Activity of applying for accreditation/assessment CABs (Laboratories, Certification Bodies, Inspection Bodies, Environmental Verifiers, etc.).

* Complaints submitted against individual administrative act under the sense of the Administrative Process Code are considered by EA "BAS" as objections under the order of item 9.3 of procedure BAS QR 2.

** Complaints and signals submitted under the order of the Law on prevention and identification of conflict of interest are not subjects of the present procedure. They are considered under the order of procedure BAS QR 23.

3. TERMS, DEFINITIONS AND ABBREVIATIONS

3.1. Terms and definitions

For the purposes of the present procedure the following terms and definitions are used, laid out in the standards ISO/IEC 17011:2004, ISO/IEC 17000:2004 and in the applicable normative acts regulating the activity of EA "BAS", as the following definition:

Complaint

Any written expression of dissatisfaction different from objection on the part of a person or organization related to the activity of EA "BAS" or accredited by the agency CAB, to which a response is expected.

Note: EA "BAS" treats as a **signal** any complaint related to accredited/assessed CAB regarding observation of the accreditation requirements or published or announced in the mass media critical material, misleading usage of accreditation in advertising materials, incorrect reference to accreditation, etc.

3.2. Abbreviations

EA "BAS"	- Executive Agency "Bulgarian Accreditation Service"
"ACAB" Directorate	- "Accreditation of Conformity Assessment Bodies" Directorate
"ALFES" Directorate	- "Administrative-Legal and Financial-Economic Service" Directorate
"AL" Department	- "Accreditation of laboratories" Department
"ACIB" Department	- "Accreditation of certification and inspection bodies" Department
CAB	- Conformity Assessment Body
EV	- Environmental Verifier
GLP	- Good Laboratory Practice

4. ACTIONS AND RESPONSIBILITIES

4.1 Submission and registration of complaints

In order for a submitted at EA "BAS" information to be registered and considered as a complaint, it shall be written in Bulgarian language, identified as a complaint and containing the following:

1. Three names and address, telephone, fax and electronic address, if available – for Bulgarian citizens, telephone, fax or telex numbers, if available;
2. Three names and personal number for foreigners and address registered in the relevant administration, telephone, fax and electronic address, if available;
3. Name of legal entity/sole trader, written in Bulgarian language, its seat and last indicated in the relevant Registry address of management and electronic address;
4. The body submitted to;
5. Presentation of the circumstances on which the complaint is based;
6. Claim
7. Signature of sender.

Verification for regularity of the submitted information identified as a complaint is carried out by Chief expert of the ALFES Directorate, and in the event that the noted information is not available, the complainant is sent a message for elimination of the irregularities within a 7 days term from receipt of the message.

In the event of non-fulfillment of the provided instructions, the submitted information is not registered as a complaint and is not considered.

If the regularity of the complaint is ascertained, it is registered under registration number 12 in Secretariat A in the book-keeping register.

In the event that an employee of EA "BAS" receives correspondence that may be identified as a complaint, he is obligated to present it to the unit for administrative service for verification and registration.

In the event of published or announced critical material in the mass media, misleading usage of accreditation in advertisement materials, incorrect reference to accreditation, etc., EA "BAS" will register a complaint as self-approach.

4.2 Estimation for proceeding with the complaint

The Executive Director and the relevant Director of Directorate, within whose scope of activity is the subject of complaint, carry out a review and express an opinion for undertaking follow-up actions:

- A. The complaint is not being proceeded in case that:
- It has not been referred to the competence of EA "BAS";
 - Refers to violation committed more than two years ago;
 - The sender has no interest of the appeal;
 - The sender withdraws the complaint in written;
 - It is anonymous;
 - It is submitted for the second time regarding an issue which has been resolved, except if it is related to implementation of the decision or is based on new facts and circumstances.

When ascertained that the complaint is not within the competence of EA "BAS", it is being forwarded according to competence to the relevant authority within a 7 days term from the receipt and the complainant is informed in written.

In the event that the complaint is left without consideration, the complainant is informed by EA "BAS" in written within a 7 days term from its receipt.

- B. Proceeding of the complaint, as a course for consideration is defined.

4.3 Consideration of complaints and reaching a decision on reasonability

EA "BAS" considers complaints within a term of two months from their registration, as within the same terms is announced the decision on reasonability. In the cases when longer investigation of the presented circumstances is demanded, provision of additional information and/or implementation of extraordinary on-site assessment, this term may be prolonged by one month, of which the sender is notified.

4.3.1 Complaints related to EA "BAS" activity

After the proceeding of the complaint, the Executive Director appoints a working group for consideration of the complaint for each particular case. In the membership of each working group are included the Secretary General, Director of ACAB/ALFES Directorate and the Head of the relevant Department/chief accountant depending on the nature of the complaint. In factual or legal necessity, working groups with larger membership may be appointed, as well as to involve external experts. Within a term of one month from registration of the complaint, the working group gathers. Summarizes and analyzes all necessary evidence for clarification of the circumstances of the complaint and prepares a standpoint with proposal for decision on the reasonability of the complaint. The prepared standpoint for the verification results with the supplemented evidence is registered in Secretariat A of EA "BAS".

Within a term of one month from registration of the standpoint, a Commission comprised of the Accreditation Council Chairman, Deputy Chairman and the Executive Director of EA "BAS" provide opinion on the reasonability of the complaint by elaboration of a written decision on reasonability.

4.3.2 Complaints related to activity of EA "BAS" employees – permanent or external personnel

After proceeding of the complaint related to activity of the permanent personnel of EA "BAS", it is considered by the evaluating and supervising head, determined by Decree on the conditions and order for attestation of the employees in the state administration.

After proceeding of the complaint related to activity of the external personnel of EA "BAS", it is considered by the Director of "ACAB" Directorate and the relevant Head of Department.

If necessary, the persons dealing with the complaint may request written information from the related permanent or external personnel of EA "BAS", which shall be presented within ten days from the request.

Within a term of one month from the complaint's registration is carried out an analysis of the facts gathered in the process of complaint investigation, and a standpoint is prepared with proposal for decision on reasonability of the complaint. The prepared standpoint for the verification results with the supplemented evidence is registered in Secretariat A of EA "BAS".

Within a term of one month from registration of the standpoint the Executive Director of EA "BAS" provides a statement on the reasonability of the complaint by a written decision on reasonability.

4.3.3 Complaints related to activity of accredited/assessed by EA "BAS" Conformity Assessment Bodies and laboratories verified by EA "BAS" for conformity with GLP

After proceeding of the complaint, it is considered under the commonly adopted administrative order to the Lead Assessor, who has carried out the last on-site assessment, for investigation and analysis and to the responsible logistic person from "AL" Department for information and action.

The Lead Assessor proposes appropriate methods for investigation of the complaint, accorded with the stage of the particular procedure, which can be one or more of the following actions:

- Implementation of extraordinary on-site assessment;
- Request from CAB/technical service/laboratories verified by EA "BAS" for conformity with GLP - subject of the complaint, written information regarding the stated in the complaint

- circumstances with a defined term for presentation of the information;
- Verification against the documents available in EA "BAS";

- Holding meetings at EA "BAS" for ascertaining the facts of the complaint, etc.

Upon proposal for implementation of extraordinary assessment, EA "BAS" informs the complainant that according to § 4 of Price List of EA "BAS" accreditation services (BAS QR 8), a deposit amounting 500 BGN shall be paid for implementation of extraordinary assessment, which in the event of ascertained reasonability of the complaint will be refunded.

Upon completion of payment, EA "BAS" will perform an extraordinary on-site assessment and will notify the results to the complainant; in non-completion of payment EA "BAS" will not perform such assessment and will consider the complaint under the general manner.

Regardless of the undertaken actions, within a term of one month following the registration of the complaint, the Lead Assessor analyzes and summarizes the information available and collected during the course of consideration, and prepares a standpoint with proposal for decision on reasonability of the complaint. The prepared standpoint for results from the verification with the supplemented evidence is registered in Secretariat A of EA "BAS".

Within a term of one month following the registration of the standpoint, the Executive Director of EA "BAS" delivers a written decision on reasonability of the complaint.

4.3.4 Complaints related to activity of applying for accreditation/assessment by EA "BAS" Conformity Assessment Bodies and laboratories applying for verification of conformity with GLP by EA "BAS"

After proceeding of the complaint, it is distributed under the commonly adopted administrative order to the assigned for the procedure Lead Assessor for investigation and analysis and to the responsible logistic person from "AL" Department for information and action.

The Lead Assessor proposes the appropriate methods for investigation of the complaint, conformed to the stage of the particular procedure, which can be one or more of the following actions:

- Investigation of the circumstances/information in the complaint during forthcoming on-site assessment;
- Implementation of extraordinary on-site assessment;
- Request from CAB/technical service/laboratories verified by EA "BAS" for conformity with GLP - subject of the complaint, written information regarding the stated in the complaint circumstances with a defined term for presentation of the information;
- Verification against the documents available in EA "BAS";
- Holding meetings at EA "BAS" for ascertaining the facts of the complaint, etc.

Upon proposal for implementation of extraordinary assessment, EA "BAS" informs the complainant that according to § 4 of Price List of EA "BAS" accreditation services (BAS QR 8), a deposit amounting 500 BGN shall be paid for implementation of extraordinary assessment, which in the event of ascertained reasonability of the complaint will be refunded.

Upon completion of payment, EA "BAS" will perform an extraordinary on-site assessment and will notify the results to the complainant; in non-completion of payment EA "BAS" will not perform such assessment and will consider the complaint under the general manner.

Regardless of the undertaken actions, within a term of one month following the registration of the complaint, the Lead Assessor analyzes and summarizes the information available and collected during the course of consideration, and prepares a standpoint with proposal for decision on reasonability of the complaint. The prepared standpoint for results from the verification with the supplemented evidence is registered in Secretariat A of EA "BAS".

Within a term of one month following the registration of the standpoint, the Executive Director of EA "BAS" delivers a written decision on reasonability of the complaint.

In the event that the Lead Assessor proposes performance of extraordinary assessment, and if within three months following the date of registration of the complaint is planned implementation

of on-site assessment, following the order of item 4.3.3 of BAS QR 2, EA "BAS"

re-plans the period and scope of assessment, in order to observe the term for consideration of the complaint.

Regardless of the undertaken actions, within a term of one month following the registration of the complaint, the Lead Assessor analyzes and summarizes the information available and collected during the course of consideration, and prepares a standpoint with proposal for decision on reasonability of the complaint. The prepared standpoint for results from the verification with the supplemented evidence is registered in Secretariat A of EA "BAS".

Within a term of one month following the registration of the standpoint, the Executive Director of EA "BAS" delivers a written decision on reasonability of the complaint.

4.4 Informing the complainant

EA "BAS" informs the complainant as follows:

- Within a term of two months following the registration of the complaint – for the reached decision on reasonability;
- Within a term of ten days before expiration of the term for announcing decision on reasonability of the complaint for the demand of performance of further actions and extension of the term for reaching of decision.

5. UNDERTAKING ACTIONS AND EVALUATION OF THEIR EFFICIENCY

In the event that the complaint under items 4.3.1. and 4.3.2 is reasonable, on the part of EA "BAS" are undertaken the respective actions following the order of Procedure for corrective and preventive actions (BAS QR 13), the Law on civil servants, the Labor Code and/or Procedure for competence of lead assessors, assessors and experts (BAS QR 7).

In the event that the complaint under item 4.3.3 is reasonable, and if non-fulfillment of the accreditation requirements is ascertained, EA "BAS" may reduce, suspend or withdraw the granted accreditation.

In the event that the complaint under item 4.3.4 is reasonable, and if non-fulfillment of the accreditation requirements is ascertained, EA "BAS" may refuse accreditation, re-accreditation or extension of scope.

At the beginning of each calendar year, the directors of directorates ACAB and ALFES prepare jointly a report for all complaints submitted during the previous year and the results of their consideration, which is presented at management review.

6. RECORDS

All records created in relation to the implementation of this procedure are registered and managed under the order of Procedure for management of documents and records BAS QR 12 and Instruction on document-keeping activity and document turnover BAS QI 1.

Records created in terms of submitted complaints are stored by director of ACAB directorate for a term of two years following the date of decision on reasonability, with the exception of the ones related to the permanent personnel of EA "BAS", which are stored in the employee's dossier by Expert Human Resources in the ALFES directorate, according to BAS QR 1.

Copies of complaints under items 4.3.3 and 4.3.4 together with the decision on reasonability are stored in the dossiers of the accredited and the applying for accreditation customers of EA "BAS". After expiration of the storage term, they are being archived under the order of BAS QR 16. The report for submitted complaints during the particular year is a supplement to the minutes of management review and is stored and managed according to BAS QR 11.

The archived records from consideration of submitted complaints are accessed by the Executive Director or duly authorized person.

7. APPLICABLE DOCUMENTS

BAS Q(F) 25.1 Notification letter for elimination of irregularities; BAS Q(F) 25.2 Standpoint from investigation of complaint;
BAS QR 2 EA "BAS" Accreditation Procedure;
BAS QR 7 Procedure for competence of lead assessors, assessors and experts; BAS QR 12 Procedure for management of documents and records;
BAS QR 13 Procedure for corrective and preventive actions; BAS QR 22 Procedure for assessment of conformity with GLP; BAS QR 16 Rules for activity of office archive;
BAS QI 1 Instruction on document-keeping activity and document turnover.
BAS QI 1.2 Archive instruction

- ❖ This document translation has been prepared for the needs of activities related to the accreditation, based on the official document of EA BAS.*
In case of discrepancies and differences between the Bulgarian document and its translation, the original document in Bulgarian shall be considered as leading.