



**BELARUSIAN STATE CENTRE FOR ACCREDITATION  
REPUBLICAN UNITARY ENTERPRISE**

**DP MS 7.13-2016**

**APPEAL PROCEEDING**

Developed by	Accreditation Management Organisation Department
Person responsible for review	Department of Economic, Legal and Personnel Work
Approved by	Order No. 30/1 dated 26.02.2016
Effective from	29.02.2016
Revision	02
Amended	1 from 01.11.2017, order No. 108 dated 24.10.2017 2 from 20.06.2019, order No. 40/1 dated 04.06.2019
Copy	REFERENCE COPY
Superseding	

**Minsk, 2016**

---

**CONTENTS**

1	Scope of Use	3
2	References	3
3	Terms and definitions	3
4	Designations and abbreviations	4
5	Liability	4
6	General provisions	6
7	Appeal proceeding	7
7.1	Preparation of materials for appeal proceeding	7
7.2	Procedure of forming up and operation of the Commission for Appeals	7
7.3	Analysis of information relating to appeal proceeding	9
8	Record management	9
	Appendix 1 Form of the registration and control form for registration of appeals	10
	Appendix 2 Form of the Register for registration and control forms for registration of appeals	11
	Appendix 3 Form of declaration on provision of independence, unbiased attitude and confidentiality	12
	Appendix 4 Form of the Session Protocol of the Commission for Appeals	13
	Amendment registration sheet	15

## 1 SCOPE OF USE

1.1 This documented procedure (hereinafter referred to as the “procedure”) is a document drawn by the management system of Belarusian State Centre for Accreditation Republican Unitary Enterprise (hereinafter – BSCA) developed in pursuance of clause 7.13 of RK SM with regard to the requirements of clause 7.13 of GOST ISO/IEC 17011, and specifies the procedure of registration and consideration of appeals received by BSCA.

1.2 The provisions of this procedure must be followed by BSCA staff participating in the process of consideration of appeals, the members of the Commission for Appeals, accredited entities and accreditation applicants.

## 2 REFERENCES

Herein, references to the following documents were used:

The Law of the Republic of Belarus No. 437-3 dated 24.10.2016 ‘On assessment of conformity with technical requirements and on accreditation of conformity assessment bodies’ (hereinafter – Law No. 437-3);

The Accreditation Rules approved by Resolution of the State Committee for Standardization No. 27 dated May 31, 2011, revised by Resolution of the State Committee for Standardization No. 49 dated 19.06.2017;

STB ISO 9000 (ISO 9000, IDT) Quality management system. Fundamentals and vocabulary;

STB ISO 15189 (ISO 15189, IDT) Medical laboratories. Additional requirements for quality and competence;

GOST ISO/IEC 17000 (ISO/IEC 17000, IDT) Conformity assessment. Fundamentals and vocabulary;

GOST ISO/IEC 17011 (ISO/IEC 17011, IDT) Conformity assessment. Requirements for accreditation bodies accrediting conformity assessment bodies;

GOST ISO/IEC 17020 (ISO/IEC 17020, IDT) Conformity assessment. Requirements for the operation of various types of bodies performing inspection;

STB ISO/IEC 17021-1 (ISO/IEC 17021-1, IDT) Conformity assessment. Requirements for bodies performing audit and certification of management systems. Part 1. Requirements;

GOST ISO/IEC 17024 (ISO/IEC 17024, IDT) Conformity assessment. General requirements for bodies performing staff certification;

GOST ISO/IEC 17025 (ISO/IEC 17025, IDT) General requirements for the competence of testing and calibrating laboratories;

GOST ISO/IEC 17043 (ISO/IEC 17043, IDT) Conformity assessment. General requirements for proficiency testing;

GOST ISO/IEC 17065 (ISO/IEC 17065, IDT) Conformity assessment. Requirements for bodies certifying products, processes and services;

RK SM Regulation on quality of the state enterprise BSCA;

PL SM 4.6.1-2019 Policy in the area of BSCA operation and accreditation schemes;

DP MS 7 Accreditation process;

DP MS 7.6 Assessment;

DP MS 7.12 Work with appeals;

P SM 7.7 Regulation on the Technical Commission for Accreditation;

RI SM 9.3-01 Management of workflow and organization and order documentation.

### 3 TERMS AND DEFINITIONS

This procedure applies the terms and definitions specified in STB ISO 9000, GOST ISO/IEC 17000, GOST ISO/IEC 17011 apply, as well as:

**Appeal:** Application of the accreditation applicant/accredited entity submitted to the accreditation body on reconsideration of the decision taken by the accreditation body in relation to the accreditation process or its results.

### 4 DESIGNATIONS AND ABBREVIATIONS

For the purpose of this procedure, the following denotations and abbreviations apply:

BSCA, accreditation body	- Belarusian State Centre for Accreditation Republican Unitary Enterprise;
LR	- Local regulations;
TCA	- Technical Commission for Accreditation;
LTR	- Local technical regulations;
AMOD	- Accreditation Management Organisation Department;
DELPW	- Department for Economic, Legal and Personnel Work;
EDFS	- Electronic document flow system;
IDT	- denotes identic conformity with the international standards (identity by technical contents and structure)

### 5 LIABILITY

**5.1 Director/ Deputy Director** is responsible for:

- Identification and determination of the possibility of appeal proceeding;
- Appointment of the person responsible for organization of appeal proceeding received by BSCA;
- Appointment of the person responsible for preparation of materials for appeal proceeding;
- Approval of members of the Commission for Appeals (hereinafter - the Commission).

**5.2 Head of Registry** is responsible for registration of appeals received by BSCA in EDFs SMBusiness.

**5.3 Head of DELPW** is responsible for:

- Registration of the appeal in the registration and control form for registration of appeals (hereinafter – the registration and control form) (Appendix 1);
- Registration of the registration and control form in the Register for registration and control forms for registration of appeals (Appendix 2);
- Transfer of the appeal and materials thereto to the person responsible for preparation of materials for appeal proceeding;
- Control over compliance with deadlines of appeal proceeding and storage of documents for appeal proceeding;
- Provision of information for appeal proceeding (including analysis of submitted and substantiated appeals for the reporting and 2 preceding periods) for review at the meeting ‘Analysis by

management’, and submission of the report to the quality control manager for making suggestions to the minutes of the meeting ‘Analysis by management’.

**5.4 The person appointed as responsible for preparation of materials for appeal proceeding** is responsible for:

- Forming up materials for the appeal and their presentation to the Commission for Appeals (hereinafter – the Commission);
- Authenticity and unbiased nature of prepared materials relating to the received appeal;
- Compliance with the established deadlines for preparation of materials for the appeal;
- Maintenance of confidentiality of information received in the course of preparation of materials for the appeal which is considered trade and other secret, unless otherwise stipulated by the law.

**5.5 Secretary of the Commission** (the person appointed as responsible for organization of appeal proceeding received by BSCA) is responsible for:

- Forming up the composition of the Commission, its presentation to Director for approval;
- Provision for unbiased attitude of the members of the Commission and their independence of all parties involved in the issues reviewed in the scope of the appeal;
- Preparation of the session of the Committee: drawing up the agenda of the session, notifying all involved parties about the date and venue of the session, coordinating issues relating to appeal proceeding;
- Taking notes relating to the process of appeal proceeding;
- Preparation of the minutes of the session of the Commission;
- Preparation of the reply to the appellant of the appeal about the decision taken by the Commission, and if necessary, about the reasons why the monthly period of appeal proceeding was exceeded;
- Submission of materials relating to the considered appeals to the Head of DELPW.

**5.6 Members of the Commission** are responsible for:

- Unbiased attitude, competence and objectivity in taking decisions relating to the received appeals;
- Compliance with the established deadlines for consideration of appeals;
- Maintenance of confidentiality of information received in the course of appeal proceeding which is considered trade or other secret, unless otherwise stipulated by the law.

**5.7 Head of APOD** is responsible for ensuring availability of this procedure for consideration of appeals to all whom it may concern on the web-site of BSCA.

## 6 GENERAL PROVISIONS

**6.1** All applications received by BSCA are registered according to the procedures established in DP MS 7.12.

**6.2** Upon identification of the appeal, Director/ Deputy Director makes the following notes on it:

- Identification of the application category – appeal;
- Name of the person responsible for organization of appeal proceeding (secretary of the Commission for Appeals);
- Name of the person responsible for preparation of materials relating to the appeal;

- Resolution;
- Deadline for execution;
- Date of sending the document for execution;
- Manual signature.

The appeal is delivered by the manager's assistant to the Registry.

**6.3** Head of Registry registers the appeal in EDFs SMBusiness, enters the application category 'appeal' in the 'Subject' entry, states the deadline for execution according to the resolution (puts under control of execution), and delivers it to Head of DELPW.

**6.4** Head of DELPW fills in the registration and control form for registration of appeals (Appendix 1), which is registered in the Register for registration and control forms for registration of appeals (Appendix 2); after registration, the appeal is delivered to the person responsible for preparation of materials relating to the appeal.

**6.5** The appeal is accepted by BSCA in writing in free form not later than one month after the accredited entity/ accreditation applicant receives the extract from the minutes of the session of TCA. The appeal shall contain the reasons of disagreement with the decision taken by TCA.

Appeals are submitted by accreditation applicants or accredited entities. After BSCA registers the appeal, the notification with acknowledgement of receipt of the appeal is sent in writing in free form to the applicant.

**6.6** Submission of the appeal neither suspends nor cancels the decision taken by TCA in relation to accreditation applicants/ accredited entities.

**6.7** Appeal proceeding and resolution on it is made:

- Within 15 calendar days from its registration in EDFs SMBusiness, unless additional information or documents, or extraordinary regular assessment of competency etc. are required;
- Not later than one month if additional information or documents, or extraordinary assessment etc. are required.

**6.8** The head of the division that carried out accreditation of the appellant is appointed as the person responsible for preparation of materials for appeal proceeding.

**6.9** For consideration of each appeal, a separate Commission is formed up with the main task of resolving on substantiation of the appeal.

**6.10** BSCA is responsible for all decisions at all levels of appeal consideration procedure.

**6.11** The secretary of the Commission is appointed by Director of BSCA.

**6.12** Analysis and decisions on appeals made by BSCA contain no actions discriminatory for the appellant.

## **7 APPEAL PROCEEDING**

### **7.1 Preparation of materials for appeal proceeding**

**7.1.1** The person responsible for preparation of materials for appeal proceeding (hereinafter – the Responsible Person) provides for timely and complete collection of materials and information relating to the appeal to be provided to Secretary of the Commission.

BSCA is responsible for collection and verification of all necessary information for confirmation of the appeal.

**7.1.2** The Responsible Person may attract competent experts of BSCA not involved in the subject of appeal to collection of materials.

**7.1.3** In the course of collection of materials relating to the appeal the relevant documents and data are studied: analysis of the agreement, analysis of the application, analysis of resources, report on analysis of documents and records, report on on-site assessment, effectiveness of corrective actions, decision of TCA.

**7.1.4** If necessary, extraordinary assessment of the accredited entity/ accreditation applicant may be carried out with regard to appeal proceeding, at the cost of the accredited entity/ accreditation applicant. If the appeal is considered justified, BSCA refunds the cost of extraordinary assessment to the accredited entity/ accreditation applicant.

Extraordinary assessment is carried out in accordance with DP MS 7, DP MS 7.6 with regard to the subject of appeal. The assessment group is formed up by the Responsible Person.

**7.1.5** All materials relating to appeal proceeding are formed up by the Responsible Person and delivered to the Secretary of the Commission together with the memorandum drawn up in a free form.

## **7.2 Procedure of forming up and operation of the Commission for Appeals**

**7.2.1** In order to take the decision relating to the appeal, the Secretary forms up the Commission following the principles of competence, independence, unbiased attitude and maintenance of confidentiality of information, from among accreditation experts and other qualified experts of BSCA not involved in the activities relating to the considered issue. The membership of the Commission is determined with regard to the agenda of the session of the Commission.

**7.2.2** The agenda of the session of the Commission is provided to Director for approval, and the chairperson is appointed from among the members of the Commission. The Commission may have not less than 3 members.

**7.2.3** In the course of collection of the materials the decision may be taken to involve the respective Technical Committees, and technical accreditation experts.

The agenda of the session of the Commission is approved by Director and sent to the members of the Commission for information, together with the declaration of independence, unbiased attitude and confidentiality (Appendix 3).

If there are some reasons influencing competence, independence and unbiased attitude, the members of the Commission inform the Secretary who makes suggestions to revise the membership of the Commission.

**7.2.4** Upon receipt of materials relating to the appeal (clause 7.1.5), the Secretary of the Commission arranges for holding a session of the Commission, forms up the agenda, informs the members of the Commission about the time and venue of the session.

Upon resolution of the Commission, representatives of BSCA who carried out the assessment, the extraordinary assessment, and the representative of the appellant may be present at the session for appeal proceeding.

**7.2.5** The Commission considers and resolves on the appeal within 3 business days from receipt of the appeal by the Secretary of the Commission. This period may be extended for the time necessary for presentation of additionally requested information and documents to the Commission.

**7.2.6** In its work, the Commission follows the requirements of the Law No. 437-3, the Accreditation Rules, GOST ISO/IEC 17011, fundamental standards (accreditation schemes) stipulated in PL MS 4.6.1, other local regulations, technical local regulations concerning the activities relating to the appeal.

**7.2.7** The Commission takes the decision whether the appeal is justified or unjustified.

The decision of the Commission is executed by the minutes of session of the Commission (Appendix 4) signed by all the members of the Commission.

**7.2.8** If the Commission concludes that the appeal is justified and it is necessary to amend the decision made by TCA, the Secretary of the Commission forms up materials relating to appeal proceeding within 1 business day, submits them for the session of TCA which operates according to P MS 7.7. TCA reviews the presented materials and takes into account the decision made by the Commission. The Secretary of TCA issues the extract from the minutes of the session of TCA and delivers it to the Secretary of the Commission together with the reviewed materials relating to the appeal.

The Secretary of the Commission submits all documents to Head of DELPW and sends to the appellant a written extract from the minutes of the session of the Commission for Appeals/ TCA, the report on the progress of work with the appeal, an official notification on termination of the process of appeal proceeding, stating that the decision is final and subject to no re-consideration.

If the Commission decided that the appeal is not justified, the Secretary of the Commission sends to the appellant an extract from the minutes of the session of the Commission for Appeals, the report on the progress of work with the appeal, an official notification on termination of the process of appeal proceeding, stating that the decision is final and subject to no re-consideration.

**7.2.9** The appeal is deemed resolved if all issues contained in it are considered, the necessary measures are taken, and a written response to the appellant is sent.

**7.2.10** If the appellant does not agree with the decision, they may submit an appeal to court according to the current laws of the Republic of Belarus.

**7.2.11** All materials relating to consideration of appeals are listed and added by Head of DELPW to the “Appeals” file.



### 7.3 Analysis of information relating to consideration of appeals

7.3.1 Information relating to consideration of received appeals including the diagram of dynamics of submitted and justified appeals (the period in review and two preceding periods) is submitted by Head of ELDPW for annual analysis by the management (as one of the input data) to the quality control manager who uses it in drawing up the aggregated management analysis report.

## 8 RECORD MANAGEMENT

Record management information under this procedure is shown in Table 1.

Table 1

Name, type * of record	Record storage location	Person responsible for updating of the record form/person responsible for record keeping	Record form location	Record storage form
Registration and control form for registration of appeals (PF)	ELDPW/ 'Appeals' file	ELDPW/ Head of ELDPW	Standard IRS/ Our documents/ DP MS 7.13/ Appendix 1	5 years
Register for registration and control forms for registration of appeals (PF)	ELDPW/ 'Appeals' file	ELDPW/ Head of ELDPW	Standard IRS/ Our documents/ DP MS 7.13/ Appendix 2	5 years
Declaration of independence, unbiased attitude and confidentiality (PF)	ELDPW/ 'Appeals' file	Quality control manager/ member of the Commission for Appeals	Standard IRS/ Our documents/ DP MS 7.13/ Appendix 3	5 years
Minutes of the session of the Commission for Appeals (PF)	ELDPW/ 'Appeals' file	ELDPW/ member of the Commission for Appeals	Standard IRS/ Our documents/ DP MS 7.13/ Appendix 4	5 years
*EF – the document is stored in electronic form; PF – the document is stored in paper form.				

## Appendix 1

**Form of the registration and control form for registration of appeals****Registration and control form for registration of appeals****Head of ELDPW:**

Registration index No. \_\_\_\_\_

Family name, personal name, patronymic name (if any) or initials of the citizen \_\_\_\_\_

Address of residence (location) and/or work (study) of the citizen, e-mail address, phone number \_\_\_\_\_  
\_\_\_\_\_

Name and location of the legal entity, e-mail address, phone number \_\_\_\_\_

Form of submission of the appeal \_\_\_\_\_

Date of receipt of the appeal (incoming) \_\_\_\_\_

Number of pages of the appeal \_\_\_\_\_

Number of sheets of appendices \_\_\_\_\_

Dates, indices &lt;\*&gt; of repeated appeals \_\_\_\_\_

Correspondent, date and index of the enclosed letter \_\_\_\_\_

Subject \_\_\_\_\_

Contents \_\_\_\_\_

**Director of BSCA State Enterprise (or the person acting as Director):**

Executing person (head of department responsible for organisation of appeal proceeding): \_\_\_\_\_

Resolution \_\_\_\_\_

Execution deadline \_\_\_\_\_

The document was sent for execution \_\_\_\_\_

(Date)

(Signature)

(Full name)

**Head of ELDPW:**

Progress of consideration \_\_\_\_\_

Note on issuance of the order and its execution \_\_\_\_\_

Result of appeal proceeding:

Date of response to the appellant \_\_\_\_\_

N \_\_\_\_\_

Note on delivery of response to the appellant in the course of personal visit \_\_\_\_\_

**Head of Registry:**

Note on withdrawal from control \_\_\_\_\_

The document was added to file No. \_\_\_\_\_

(Date)

(Signature)

(Full name)

&lt;\*&gt; To be input when the registration index is assigned to the repeated appeal.

Appendix 2

**Form of the Register for registration and control forms for registration of appeals**

**Register for registration and control forms for registration of appeals**

No.	Registration number and date of registration of the registration and control form for registration of appeals	Incoming document No. and date	Information about the appellant (name, address, phone, fax, e-mail, CEO, position)	Brief contents of the appeal
1	2	3	4	5

Number and date of the minutes of the session of the Commission for Appeals	Decision of the Commission for Appeals	Outcoming No. and date of response to the appellant	Note
6	7	8	9

## Appendix 3

**Form of declaration on provision of independence, unbiased attitude and confidentiality****DECLARATION  
on provision of independence, unbiased attitude and confidentiality**

I, \_\_\_\_\_  
(family name, personal name, patronymic)

participating in the activity of the Commission for Appeals for appeal proceeding

\_\_\_\_\_ (appellant, No. of accreditation certificate/ reg. No. and date of registration of the application)  
regarding the issue \_\_\_\_\_

(briefly, stating No. and date of TCA decision which is appealed against)

**guarantee to:**

maintain confidentiality of information obtained by me when directly studying and considering the appeal at the session of the Commission for Appeals;

avoid actions discrediting the accreditation body of the Republic of Belarus;

keep to unbiased attitude: to act objectively, not to pursue commercial, financial or other benefit which may influence unbiased decision regarding the appeal, to avoid fabrication of facts, to avoid influence or pressure that may lay impact on objectivity of the decision taken after appeal proceeding;

behave professionally in the course of appeal proceeding: to create and support business and amicable atmosphere, to behave with dignity, to see into the matter flexibly and thoroughly, to listen to the other party of the conversation and to try to understand his/her position;

not to allow and to stop violations of ethical standards from the part of the other members of the Commission for Appeal, to inform the secretary and the chairperson of the Commission for Appeal about liaisons that may influence independence and unbiased attitude.

I was informed that I am liable for non-compliance with this Declaration.

\_\_\_\_\_ (position)      \_\_\_\_\_ (signature)      \_\_\_\_\_ (initials, family name)      \_\_\_\_\_ (date)

## Appendix 4

**Form of the minutes of session of the Commission for Appeals**

Belarusian State Centre for Accreditation  
Republican Unitary Enterprise  
(BSCA State Enterprise)

**MINUTES**

dated \_\_\_\_\_.\_\_\_\_.20\_\_

City of Minsk

of session of the Commission for Appeals

The following persons were present at the session of the Commission:

**Chairman:** \_\_\_\_\_  
(position, full name)**Members:** \_\_\_\_\_  
(position, full name)**Secretary:** \_\_\_\_\_  
(position, full name)**Invitees:** \_\_\_\_\_  
(position, full name)**AGENDA:****ISSUES REVIEWED:****SPEAKERS:****CONCLUSIONS:****SIGNATURES:**

_____ Signature	_____ Full name
_____ Signature	_____ Full name
_____ Signature	_____ Full name
_____ Signature	_____ Full name

Quality control manager

E.V. Morozova

Head of developing department:  
Head of APOD

E.V. Morozova

APPROVED BY:

Deputy Director

V.A. Sharamkov

Head of DELPW

O.L. Grakovich

Начальник СВAD

N.P. Levdanskaya

**Amendment registration sheet**

Amendment No.	Amendment enforcement date	No. of amendment notification, date of approval	Amendment item	Signature of amending person	Printed name of amending person
1	2	3	4	5	6