COMPLAINTS AND APPEALS PROCEDURE

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REVISION HISTORY

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ICT AUTHORITY (ICTA)

Head Office: P.O. Box 27150, Nairobi-00100, Tel.: (+254 202) 211 960/61
E-Mail: standards@ict.go.ke, Web: http://standards.icta.go.ke

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1.0 PURPOSE

This procedure establishes a clear, fair, and transparent process for handling all complaints and appeals related to ICT Authority (ICTA) certification activities.

2.0 SCOPE

This procedure applies to all complaints and appeals submitted by:

i. Applicants and candidates.
ii. Certified professionals.
iii. Employers, and any other parties affected by ICTA certification decisions or processes.

It covers:

i. Complaints regarding the performance, behavior, or decisions related to certification activities.
ii. Appeals against certification decisions, including suspensions, withdrawals, or refusals.

3.0 DEFINITION

Term	Definition
Complaint	Expression of dissatisfaction, other than appeal, by any individual or organization to a certification body, relating to the activities of that body or a certified person, where a response is expected.
Appeal	Request by applicant candidate or certified person for reconsideration of any decision made by the certification body related to her/his desired certification status.
Complainant/Appellant	The person or entity submitting a complaint or appeal.
Service Charter Timeframe	The agreed-upon period within which responses and decisions must be made (as defined by ICTA).

4.0 ROLES & RESPONSIBILITIES

Role	Responsibilities
ICTA Accreditation Department	Ensure that the complaints and appeals process is conducted in compliance with ISO/IEC 17024 requirements while facilitating clear, transparent communication with all parties regarding their rights and procedural steps.
Designated Complaints & Appeals Officer/Committee	Oversee the fair, transparent, and impartial handling of complaints and appeals by receiving, investigating, and resolving submissions objectively, while ensuring timely communication of decisions in accordance with established procedures
All ICTA Staff Involved in Certification	Support the integrity of the complaints and appeals process by cooperating fully with investigations, providing necessary documentation, and upholding confidentiality at all times.

5.0 PROCEDURES FOR HANDLING COMPLAINTS

5.1 Complaints may be formally submitted through any of the following channels:

i. Written letter addressed to the ICT Authority.

ii. Email sent to the standards and processes department (e) standards@ict.go.ke.

5.2 To ensure efficient processing, the complainant shall provide:

i. A clear and detailed description of the complaint.

ii. Relevant dates, names of involved parties, and any supporting evidence to substantiate the claim.

iii. The desired resolution or corrective action sought.

5.3 Acknowledgment

5.3.1 All complaints shall be formally acknowledged within five (5) working days of receipt.

5.3.2 The acknowledgment shall be sent via the same channel through which the complaint was submitted (letter or email)

5.3.3 The complainant shall be informed of:

i. The next steps in the process, including how the complaint will be reviewed and investigated.

ii. The expected timeframe for resolution, in line with ICTA's service charter.

5.3.4 The certification body shall review and evaluate each complaint to determine its relevance to the certification body's activities.

5.3.5 Where a complaint is found to pertain to certification activities, the certification body shall ensure a fair and impartial investigation is conducted in accordance with documented procedures.

5.3.6 The complainant shall be informed of the next steps in the process, including how the complaint will be reviewed and investigated.

5.3.7 The complainant shall also be provided with the expected timeframe for resolution, in line with the ICTA Service Charter.

5.3.8 All complaints and subsequent actions shall be recorded in the Complaints Register.

5.3.9 The certification body shall periodically review these records to identify trends and potential areas for improvement in its certification processes.

5.3.10 Investigation

5.3.10.1 Upon receipt of a complaint, the Certification Manager shall assign the case to an impartial investigator who has no direct involvement in the matter.

5.3.10.2 The investigator shall conduct a thorough review by;

i. Examining relevant documentation, including policies, records, and previous communications.

ii. Interviewing involved parties, where necessary, to gather additional insights and clarify discrepancies.

iii. Consulting external experts, if required, to obtain specialized knowledge or an independent perspective.

5.3.10.3 The investigation shall be conducted in a structured and unbiased manner, ensuring that all evidence is assessed objectively.

5.3.10.4 A detailed investigation report shall be prepared, outlining:

i. Findings based on factual evidence.

ii. Recommendations for resolution or corrective action.

5.4 Decision and Response

5.4.1 Based on the findings of the investigation, the investigator shall objectively determine whether the complaint is;

i. Upheld (valid) – If the complaint is found to be justified, corrective actions shall be identified and implemented.

ii. Not Upheld (invalid) – If the complaint lacks merit, a clear explanation shall be provided outlining the reasons for the decision.

5.4.2 The final decision shall be documented and communicated in writing to the complainant within the service charter timeframe

5.4.3 The response shall include:

i. A summary of the investigation findings.

ii. The decision reached and its rationale.

iii. Any corrective or preventive actions (if applicable).

iv. Information on how to escalate the matter further if the complainant is dissatisfied with the outcome.

5.4.4 If the complaint is upheld, appropriate corrective actions shall be identified and implemented promptly to address the issue and prevent recurrence.

5.4.5 The corrective actions shall be:

i. Executed without undue delay.

ii. Monitored for effectiveness, with follow-ups conducted to verify that the issue has been fully resolved.

iii. Documented and tracked, with records maintained for future reference and audits.

5.4.6 The complainant shall be kept informed throughout the process with regular progress updates until the corrective actions are fully implemented.

5.4.7 Submission of Appeal

5.4.8 Appeals must be formally submitted within the service charter timeframe following the issuance of the contested certification decision.

5.4.9 The appeal must be submitted through written letter or email.

5.4.10 To facilitate a fair and efficient review, the appellant must provide:

i. Grounds for appeal – A clear explanation of why the decision is being challenged.

ii. Supporting evidence – Any relevant documents, records, or factual information that substantiate the appeal.

iii. The specific decision being contested – Clearly indicate whether the appeal concerns a certification refusal, suspension, withdrawal, or another adverse decision

5.4.11 The appeal submission shall be logged, and the appellant shall receive an acknowledgment confirming receipt.

5.4.12 All appeals shall be acknowledged within five (5) working days of receipt.

5.4.13 The acknowledgment shall be sent via the same channel through which the appeal was submitted (letter, email)

5.4.14 The appellant shall be informed of:

i. The review process, including how the appeal will be assessed and who will be responsible for the review.

ii. Expected timelines.

iii. Next steps, outlining any additional information required or further actions to be taken by either party.

5.5 Review by the ICT Authority Board Technical Committee

5.5.1 The Technical Committee, which is independent of the original decision-makers, shall conduct an impartial review of the appeal to ensure fairness and compliance with ISO/IEC 17024 requirements.

5.5.2 The committee shall;

5.5.2.1 Review all relevant documentation, including the original certification decision, appeal submission, and supporting evidence

5.5.2.2 Allow the appellant to present their case, either through a written submission or, where applicable, an in-person or virtual hearing.

5.5.3 Decision and Communication

5.5.3.1 The final decision on the appeal shall be documented and communicated in writing to the appellant within the service charter timeframe.

5.5.4 The decision shall clearly state whether the appeal is:

i. Upheld – The appeal is successful, and necessary corrective actions will be taken.

ii. Not upheld – The original decision remains unchanged, with a detailed explanation provided.

5.5.5 The Technical Committee's decision is final, and no further appeals will be considered on the same matter.

5.5.6 The Authority shall maintain comprehensive records of all complaints and appeals, including submission forms, investigation reports, decisions, and correspondence

5.5.7 The Authority shall store records securely and retain them for a minimum of five (5) years in accordance with ICTA's retention policy.

5.5.8 The Authority shall ensure that records are accessible for internal audits.

5.5.9 The Authority shall regularly analyze trends in complaints and appeals to identify recurring issues and areas for improvement.

5.5.10 The Authority shall conduct internal audits to ensure consistency and compliance with ISO/IEC 17024 standards.

5.5.11 The Authority shall review this procedure at least every three years or whenever significant changes impact the certification process.

5.5.12 The Authority shall distribute this procedure to all relevant personnel and stakeholders.

5.5.13 The Authority shall ensure this procedure is accessible on the ICTA Accreditation portal.

ICT Authority

Telposta Towers, 12th Floor, Kenyatta Ave

P.O. Box 27150 - 00100 Nairobi, Kenya

t: + 254-020-2211960/62

Email: info@ict.go.ke or communications@ict.go.ke or standards@ict.go.ke

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