
	PROCEDURE			
	CERTIFICATION REFUSAL, SUSPENSION, WITHDRAWAL, RESTORAL, SCOPE CHANGES AND APPEALS			
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## Certification Refusal, Suspension, Withdrawal, Restoral, Scope changes and Appeals.

REFERENCE NO: GLO-CFT-PRO-05		CUSTODIAN: MANAGING DIRECTOR		
APPROVED BY: KEITH JONES		POSITION: MANAGING DIRECTOR	DATE: 21/07/2019	
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## 1. PURPOSE AND SCOPE

To provide information in regard to the actions and responsibilities if grounds exist to refuse, suspend, withdraw, restore or expand or reduce the scope of the “Certificate of Registration” of a client or potential client. This document also covers the process of appeal if a client or potential client disagrees with a decision of Ashburton Assurance Australasia (“Ashburton”).

## 2. RESPONSIBILITIES

The Certification Manager and each of Ashburton’s auditors/assessor are responsible for ensuring that as far as practicable, a certificated company is complying with Ashburton’s Terms of Certification and Business.

All personnel involved in any appeals process or are aware of an appeal being lodged by an appellant will ensure that no resultant actions taken by Ashburton are discriminatory actions against the appellant.

## 3. ACTIONS

Ashburton may, subject to any notification as required:

1. Refuse a “Certificate of Registration” or refuse to renew a “Certificate of Registration”.
2. Suspend a “Certificate of Registration”.
3. Withdraw a “Certificate of Registration”
4. Restore a “Certificate of Registration”
5. Change, expand or reduce, the Scope of Certification

Provided that the grounds for exercise of these powers exist and are justified by examination.

If any of the above actions, 1 to 4 inclusive, are taken by Ashburton management Ashburton’s Board of Directors will be informed of such action at their next scheduled Board Meeting.

The potential grounds for the exercise of the powers are contained in *GLO-CFT-GDE-01 Terms of Certification and Business*, unless otherwise noted within this document. The total breakdown of the operation of a certificated system also constitutes grounds for suspension of a “Certificate of Registration”.

## 4. EXAMINATION OF CONDITION

Should any condition become apparent from any source whatsoever to any Ashburton personnel that an issue exists that could jeopardise a client’s “Certificate of Registration”, then that condition shall be reported to the Certification Manager.

Voluntary withdrawal or suspension by a client of their “Certificate of Registration” shall be treated the same under this procedure.


The Certification Manager, shall be responsible for investigating any circumstances that may constitute grounds for refusing, suspending, withdrawal or restoral of a “Certificate of Registration” or change, expand or reduce, the scope of certification.

## 5. NOTICES

Should a decision to refuse, suspend, withdraw or restore a “Certificate of Registration” or change, expand or reduce the scope of Certification be taken then the decision shall be communicated by the Certification Manager to the client or potential client, in writing.

Included in the notice, where conditions exist, shall be a request for return of the certificate.

If no return is recorded in 30 days the Certification Manager may telephone or write to re-enforce the

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demand. This shall be recorded in the file by Folio note.

**NOTE: There is no legal status to enforce return.**

## 6. REFUSING CERTIFICATION

### 6.1. NEW CLIENT

When a new Client approaches Ashburton we will initially assess our suitability to provide the services they seek under our accreditation scope. If we are unable to provide the services requested, we would refuse to provide certification services.

If we can provide the required certification services, we would then request the client to complete GLO-CML-FRM-01 Client Information Questionnaire. The information provide will allow Ashburton to conduct due diligence on the organisation and ascertain their suitability as a client. If we are unable to prove the credentials of the organisation, we would refuse to provide certification services.

If we can prove their credentials, we will then prepare a formal proposal for the client's consideration. Once the client has received our proposal, agrees to our terms and conditions and returns a duly executed copy of our proposal, we at this stage still reserve the right to refuse to take on the client.

If we wish to proceed with the client, we would formally execute the proposal and then return a fully executed copy to the client and commence our relationship.

It is the Certification Manager or his delegate's responsibility to inform all potential new client's in writing if Ashburton is unable to provide them with Certification Services.

Refer to *GLO-CML-PRO-01 Application Contract Review, specifically Clause 5*

### 6.2. TRANSFERRING CLIENT

When a client who is currently certified by another Conformity Assessment Body seeks to transfer to Ashburton, they will follow Ashburton's required procedures and will be required to meet all the criteria of those requirements. Inability to meet these requirements will result in Ashburton's refusal to accept the transferring client and provide them with certification services.

It is the Certification Manager or his delegate's responsibility to inform a potential transferring client in writing if Ashburton is unable to provide them with Certification Services.

Refer to *GLO-CML-PRO-01 Application Contract Review, specifically Clause 7*

## 7. REFUSAL TO RENEW CERTIFICATION

The refusal by Ashburton to renew a client's "Registration of Certification" would follow the following process:


- Firstly, Suspension of Certification, followed by
- Withdrawal of Certification.

The above would allow us to follow our due processes and afford the client the opportunity to rectify any issues.

## 8. SUSPENSION OF CERTIFICATION

During the life of the certificate an auditor may recommend suspension or cancellation of a certificate. The Certification Manager or Managing Director are the only persons authorised to suspend a certificate.

Note: If suspension or cancellation of a certificate becomes an option during an assessment the auditor is to

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immediately contact Ashburton office for guidance.

The usual reasons for suspension include:

- Failure to comply with the Ashburton Terms of Business and Certification.
- Failure to undertake a Surveillance audits at least once a year. On planning the first surveillance audit following initial certification it shall be no more than 12 months from the last day of the Stage 2 Audit.
- Failure to pay outstanding accounts
- Failure to maintain their system(s) in a compliant state
- Request to discontinue certification from the organisation.
- Severe breach of statutory and regulatory requirements.

Note: In most cases, the suspension would not exceed six months.

### 8.1. CORRECTIVE ACTIONS

**Where Major corrective actions are raised at an audit which have not been closed out effectively within the agreed timeframe, Ashburton shall suspend the certificate unless exceptional circumstances occur.**

**Note:** - Assessors shall contact the Certification Manager for advice during the audit if suspension of a Certificate is being considered.

As a guide, audits should be completed when Major corrective actions are found or not closed out, and suspension of the certificate is considered. When a Re-certification Audit is being conducted, it is considered essential that the full audit be completed to ensure the certificate may be re-issued at the earliest possible time, once the corrective actions are completed. The Assessor should not leave the site until either the Managing Director or the Certification Manager is briefed on the Issue.

The Certification Manager shall ensure he has adequate information to fully understand the circumstances of the event.

### 8.2. AUDIT TIMEFRAMES

During the life of certification, surveillance assessments will need to be conducted. These assessments are to be scheduled either 6 monthly, 9 monthly or 12 monthly. These time frames may be affected due to various reasons such as:

- Critical staff members leaving
- Major infrastructural change
- Business takeovers etc.


Taking these and or other considerations into effect the Certification Manager has the ability to extend an audit date for up to 8 weeks past the proposed date, with a note being made on the client file.

If the client continues to change or modify these dates, then the Ashburton will have no other option than to suspend certification until a date can be agreed upon.

**Note: If a date is proposed and the assessment is pushed out by 8 weeks, then the next surveillance assessment is to be scheduled from the original planned date and not the modified date. This is done so to not upset the surveillance regime.**

### 8.3. ADMINISTRATION REQUIREMENTS

When certification has been suspended, then the company's name will remain on Ashburton's Register of Certified Companies, with the word "suspended" printed beside it, until such time as a definite decision has

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been made.

## 9. RESTORATION OF A CERTIFICATION

Ashburton will only restore a client's suspended "Certificate of Registration" if the issue that resulted in the suspension has been resolved. Failure to resolve the issues that have resulted in the suspension in a timeframe established and agreed with Ashburton shall result in withdrawal of their "Certificate of Registration".

## 10. WITHDRAWAL OF CERTIFICATION

When a client has their "Certificate of Registration" withdrawn, the company's name shall be deleted from Ashburton Register of Certificated Companies.

The company's details will be registered in *GLO-CFT-REG-03 Certification Suspension Register*

If a company wishes to have their withdrawn "Certificate of Registration" reinstated/lifted they will be treated as new client and will follow all the procedures applicable to a new client seeking certification.

## 11. SCOPE OF CERTIFICATION CHANGES

The scope of certification is determined and agreed with the client during their initial Certifications Audits and confirmed each time a Surveillance or Recertification Audit is undertaken. This is a mandatory Ashburton requirement.

ISO9001 also allows for some requirements of the standard to be deemed not applicable in that they are not required by the organisation to deliver their products and or services. For example, Clause 8.3 in ISO9001 specifically references Design & Development of Products and Services, this may not be applicable to all clients and as such can be excluded.

If a client wishes to vary their scope of certification, they should inform Ashburton immediately. Ashburton will review this request and provide feedback to the client whether this request is acceptable or unacceptable. This request could be to expand or reduce their scope of certification.

When a change of scope of certification is approved Ashburton's *GLO-CFT-REG-02 Certification Register*, will be updated to reflect the required change.

## 12. NOTIFICATIONS TO JAS-ANZ

When a certificate is suspended, withdrawn, restored or a change of Scope of Certification is approved Ashburton's *GLO-CFT-REG-02 Certification Register*, will be updated to reflect the required change. Ashburton, as soon as conveniently possible, will update its JAS-ANZ online registration of client companies and change the client company status or Scope of Certification accordingly.


## 13. APPEALS

This procedure covers all actions by Ashburton following written notification by an applicant of an intention to appeal against a decision made by Ashburton in regard to their Certification. It excludes actions to be taken by the Appeal Group in the conduct of their meeting(s) but does suggest a typical agenda.

### 13.1. RESPONSIBILITIES

The Managing Director shall be responsible for all liaison between the appellant and the Appeal Group, in particular, ensuring that all actions having time constraints are carried out within those timeframes. The Managing Director shall also be responsible for ensuring that the decisions of the Appeal Group are implemented.

The Appeal Group meetings shall be formally documented and minuted.

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### 13.2. APPEALS GROUP

The Appeals Group will consist of:

- Ashburton's Managing Director
- Ashburton's Chairman of the Board ( Chairman of Appeals Group )
- Ashburton's Certification Manager

And if required the following can be seconded to join the Appeals Group:

- Technical Expert(s)
- Member(s) of the Impartiality Committee

If any of the above have been directly involved in the decision being appealed by the appellant, they cannot be a member of the Appeals Group and must declare themselves ineligible.

### 13.3. ACTIONS

The actions required after notification of an intention to appeal involve distinct steps, each of which have desired time constraints as follows:

- Acknowledging the notification - within 24 hours. Note: A form *GLO-COR-FRM-10 Appeals Form* will be made available on Ashburton's Website for appellant to complete.
- Advising all Appeal Group members and verifying there is no conflict of interest - within 48 hours with either the Appellant or Ashburton.
- A note to the effect of no conflict of interest being notified will be recorded in the appeal dossier within 48 hours
- Creating a unique appeal folder within Ashburton's electronic storage system.
- Preparing a dossier for each Appeal Group member - within 5 days.
- Notification to appellant of date of hearing within 10 working days of receipt of appeal notification.
- Appeal Group meeting - within 21 working days of receipt of appeal notification.
- Notification of "ruling" to appellant - within 30 days following the Appeal Group meeting.


### 13.4. ACKNOWLEDGEMENT

Following receipt of a notification of appeal, the Managing Director shall, within 24 hours acknowledge receipt of the notice to the appellant by email and/or by official letter and also inform the Appeals Group Chairman.

The electronic client file(s) shall be retrieved from the Quality Records to necessitate examination of the client history and as a preparatory step in preparing a dossier for each member of the Appeal Group. The file(s) shall remain under the direct control of the Managing Director until the dispute arising from the appeal has been settled.

### 13.5. ADVICE TO THE APPEAL GROUP

The Chairman of the Group shall, within 48 hours of being informed that a dispute exists, ensure that each member of the Appeal Group is advised and ascertain the availability of each member to take part in the appeal hearing. Each member shall be advised that the hearing will be held within 21 days from the receipt of the appeal notification.

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It will be necessary to ensure that at least three members of the Appeal Group are available, this number constituting a quorum.

### 13.6. PREPARATION OF THE APPEAL GROUP DOSSIER

Concurrent with the actions detailed above, the Managing Director shall arrange for an electronic copy of all relevant material in the client file.

On notification to the Managing Director of the members that will hear the appeal, the Managing Director shall then arrange for appropriate dossiers to be forwarded to each member. This action shall be completed within 5 days of receipt of the appeal notification.

### 13.7. NOTIFICATION TO APPELLANT

Within 10 working days following receipt of an appeal notification, the appellant shall be advised of the date, time and venue of the appeal. This advice shall be from the Managing Director following confirmation from the Appeal Group members.

**(Note:** Although the appeal is required to be heard within 21 working days of notification, whenever possible the hearing should be convened at the earliest opportunity, but at a time that has provided a sufficient period for each Appeal Group member to review the client dossier.)

The Managing Director shall keep the appellant up to date with progress reports as required.

### 13.8. APPEAL GROUP MEETING

Once convened, the meeting shall proceed along the lines of the following proposed agenda. The Chairman of the Appeal Group shall have the discretion to vary this agenda as required:

- Briefing to the Group by the Managing Director.
- Points of clarification raised as a result of the dossier previously issued by the Managing Director.
- Hearing from the appellant (if present).
- Deliberation by the Group members.
- Handing down of a decision by the Appeal Group.
- Close.

**NOTES:** It may be necessary, before a decision is reached, for the Appeal Group to request more information from either the appellant or Managing Director or, visit the appellant's site. This will be decided and advised during the above meeting.

### 13.9. FORMAL NOTIFICATION TO THE APPELLANT


Whether or not a decision has been handed down at the Appeal Group meeting and the appellant informed at that meeting, the "ruling" shall be formally recorded in writing and forwarded to the appellant within thirty days of the meeting.

Should more information be required before a decision can be made, then the thirty-day time constraint of advising the appellant in writing still applies.

The Managing Director shall ensure the recorded ruling is signed by the appointed Chairperson of the Appeals Group. The original shall be forwarded to the appellant and a copy given to the Managing Director for inclusion in the company file.

It is the Managing Directors responsibility to ensure all actions resulting from a ruling are carried out expeditiously.



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**13.10. APPEALS STORAGE**

On concluding all previous action of this appeal process, the Managing Director shall compile electronic copies all the information gathered, return electronic information from client files and store the gathered information in a unique folder for each appeal. This folder must contain the Appeal Group minutes and their ruling. This folder will be accessible by the Managing Director and Chairman of the Appeals Group only.

**13.11. DOCUMENTATION**

*GLO-COR-FRM-10 Appeals Form.*

*GLO-CFT-REG-03 Certification Suspension Register.*