



# Appeal Policy

POL049 - Appeal policy - 2018-10-25

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# Appeal Policy

## Introduction

### I. The Humanitarian Quality Assurance Initiative

HQAI's objective is to improve the Quality and Accountability of organisations working with people in need through the provision and promotion of meaningful and adapted independent quality assurance. Its services are intended to build capacity in the sector and provide consistent measurable data in the delivery of quality action, thus improving principled, accountable, efficient provision of aid to vulnerable and at-risk populations.

To all its stakeholders, HQAI is an accountable, open and trustworthy partner, which applies the internationally recognised ground rules of auditing that are impartiality, competence, responsibility, openness, confidentiality and responsiveness to complaints. Our policies, procedures and tools for independent quality assurance follow relevant ISO standards requirements.

HQAI has developed robust tools to measure efficiently where an organisation stands in relation to the [Core Humanitarian Standard \(CHS\) on Quality and Accountability](#). Tools related to other standards may be developed in the future.

### II Scope

This policy applies to appeals audited organisations may file against a certification or verification decision made by HQAI.

### III References

The following referenced documents can usefully complement this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

HQAI GOV001 - Articles of association

HQAI PRO049 - Appeal procedure

ISO/IEC 17065 Conformity Assessment Requirements for bodies certifying products, processes and services (2012)

## IV Definitions

In general, the definitions provided in POL114 - Third-party quality assurance policy apply. Additionally, for the purposes of this document the following terms and definitions apply.

<b>Appeal</b>	Formal contestation by an audited organisation of a quality assurance decision made by HQAI about this same organisation.
<b>Appellant</b>	Organisation filing in an appeal.
<b>Complaint</b>	Formal expression of dissatisfaction made to or about HQAI, related to its products, services, staff where a response or resolution is explicitly or implicitly expected.
<b>Complainant</b>	Person or organisation filing a complaint.

### 1. Key principles

Any appeal shall be treated according to the following principles:

- 1.2 Transparency: parties to an appeal shall have all the relevant information in due time;
- 1.3 Impartiality: any person handling an appeal shall be free of conflict of interest vis-à-vis the parties of the appeal;
- 1.4 Objectivity: addressing appeals shall be based on objective evidence and facts and be free of irrelevant considerations;
- 1.5 Fairness: proceedings shall be fair to all parties to the appeal. In particular, cost considerations shall not be a deterrent for founded appeals;
- 1.6 Safety: the security of appellants shall be an absolute priority at all times and the confidentiality of the persons involved guaranteed;
- 1.7 Timeliness: HQAI will endeavour to resolve appeals promptly.
- 1.8 Accessibility: information about how and where to file an appeal is indicated on all written quality assurance decision made by HQAI;
- 1.9 Subsidiarity: appeals should be dealt with at the most immediate level that is consistent with their resolution.

## 2. Appeals

- 2.1 Organisations that do not agree with a certification or verification decision may file an appeal against the same. A certification or verification decision refers to one or more of the following:
- i) refusal to accept an application;
  - ii) refusal to proceed with an assessment;
  - iii) corrective action requests;
  - iv) changes in certification scope;
  - v) decisions to deny, suspend or withdraw certification; and
  - vi) any other action that impedes the attainment of certification or independent verification.
- 2.2 Appeals shall be filed in writing to HQAI's secretariat and shall contain all necessary information to handle the appeal, including, but not limited to:
- i) disclosure of any possible connection of the appellant with interests related to the appeal;
  - ii) an agreement to pay the costs up to and including the full costs of the appeal process, as determined and allocated by the Appeal Panel.

## 3. Appeal Panel

- 3.1 Appeal panels are made of at least two competent experts appointed by the Chair of the Advisory and Complaints Board. Members of the panel shall be void of conflict of interest regarding the case in question.

## 4. Costs

- 4.1 In principle, filing an appeal should not involve cost for the appellant and all attempts shall be made to resolve the appeal by direct discussion.
- 4.2 It is expected that, in most cases, appeals will be avoided through the consultation that happens in establishing the audit report and solutions will be found without further expenses through the first layer of the appeal mechanism. It may however be that the investigation of an appeal leads to cost, particularly if the resolution involves field visits by an auditor.
- 4.3 The allocation of costs for the further investigation of appeals shall be determined by the Appeal Panel. The following options for the allocation of costs may be considered:
- i) all costs borne by HQAI if the appeal is valid, and is the result of HQAI poor performance;
  - ii) by the appellant, taking due consideration of the fairness principle, in proportion to the quality of objective evidence provided, i.e. the more certainty there is of a problem, the less of a cost onus will be on the appellant;
  - iii) all cost borne by the appellant if it appears the appeal is abusive;

## **5. Resolution of appeal and records**

- 5.1 The appeal panel shall make decisions on appeals.
- 5.2 Unless otherwise specified in the Swiss legislation under which HQAI is incorporated, decisions made by the Appeal Panel are final.
- 5.3 Appeals shall not suspend the validity of the decision which is being appealed.
- 5.4 All steps undertaken and decision made during an appeal resolution process shall be duly recorded, making sure the records are protected against un-authorized access.

