



# Appeals procedure

PRO049– Appeals procedure 2018-06-20

## Be sure to have the latest version!

HQAI is constantly developing and improving its tools and procedures. Depending on feedback and learning from experience, these may change. Please make sure you're using the latest version, which can be found in HQAI web-site.

## How to give feedback or contribute to the process?

If you would like to provide comments on this, document or any aspect of our work, please send your feedback to: [contact@hqai.org](mailto:contact@hqai.org).

## Table of contents

Introduction .....	3
I. The Humanitarian Quality Assurance Initiative .....	3
II Scope .....	3
III References.....	4
IV Definitions.....	4
1. Key principles .....	4
2. Access and costs.....	5
3. Filing an appeal .....	5
4. Process for managing an appeal.....	5
4. Decision .....	6
5. Documentation and reporting .....	6

<b>PRO049– Appeals procedure 2018-06-20</b>			
Replaces	Complaints and appeal procedure 2016-06-10		
Nature of change	updated description of HQAI (intro)		
Approval of the original document:	BoD	2016-03-10	
Approval of the current version:	ph	2018-06-20	

# Appeals procedure

## 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 procedure applies to all appeals brought forward to HQAI unless otherwise described in a specific procedure duly approved by the Board or its Executive Committee.

The purpose of this document is to identify a structured process for the management of appeals received from an audited organisation against a quality assurance decision to which the decision applies.

A certification or verification decision refers exclusively 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.

This procedure does not apply to complaints that are ruled by POL048 - Complaint management policy and PRO048 - Complaint management procedure.

### 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 POL049 - Appeal policy

HQAI PRO114 - Certification and independent verification procedure

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

### IV Definitions

For the purposes of this document, terms and definition provided in POL114 - Third-party quality assurance policy and POL048 - Complaints handling policy apply.

#### 1. Key principles

(From POL049)

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. Access and costs

- 2.1 HQAI shall indicate in the contract with audited organisations and in all quality assurance decision how to file an appeal. This information shall contain at a minimum:
- i. contact information to file an appeal to the Secretariat;
  - ii. deadlines for doing so; and
  - iii. a link to download the Appeal policy (POL049) and procedure (PRO049)
- 2.2 HQAI shall provide access to the appeal procedure (this document) on its website.
- 2.3 Unless specific expenses are necessary for investigating an appeal, it shall not be invoiced to the appellant. If expenses are necessary, the following applies:
- i. 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, as relevant for the specific case:
    - b. All costs borne by HQAI if the appeal is substantiated and is the result of HQAI poor performance;
    - c. 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 complainant;
    - d. All cost borne by the appellant if it appears the complaint is abusive.

## 3. Filing an appeal

- 3.1 Organisations that do not agree with a quality assurance decision by HQAI may file an appeal against same within 14 days after being informed of the decision.
- 3.2 Appeals shall be filed in writing to HQAI secretariat (appeals@hqai.org) and shall, at a minimum:
- i. state the date of the appeal;
  - ii. indicate the name and contact details of the appellant;
  - iii. disclose any possible connection with interests related to the appeal;
  - iv. describe the reasons of the appeal;
  - v. provide sufficient documented objective evidence to substantiate the appeal and identifying the basis for same;
  - vi. contain an agreement to pay the costs up to and including the full costs of the appeal process, as determined and allocated by the Appeals Panel.

## 4. Process for managing an appeal

- 4.1 HQAI shall acknowledge immediately the reception of an appeal without any discrimination against the appellant;
- 4.2 Within ten (10) days of receipt of the appeal, the secretariat shall examine if the conditions for receiving it are fulfilled and come back to the appellant with, either a request for additional information or a detail of the steps that will be followed.
- 4.3 As a first step, the Secretariat shall strive to reach an agreement with the appellant. If an agreement has not been reached within 30 days of having confirmed the process to the appellant, the secretariat shall refer the case to the Appeal Panel.

- 4.4 The Chair of the Advisory and Complaint Board (ACB) shall then constitute an Appeal Panel made of at least two competent experts. Members of the panel shall be void of conflict of interest regarding the case in question
- 4.5 The Appeal Panel shall strive to come to a decision within 30 days after the transmission of the appeal to the panel.

NOTE: it may be that the investigation of the appeal requires further investigation, including a filed visit by auditors, in which case the timeframe of 30 days for the resolution of the appeal may not be respected.

- i. the panel shall immediately assess the need for further investigation and its potential cost.
- ii. If it appears the appeal will entail costs, the panel shall refer back to the appellant with a request to confirm the appeal and sign an agreement to pay the costs up to and including the full costs of the appeal process, as indicated under 2.3 above;

## 4. Decision

- 4.1 Any decision rendered on an appeal shall be communicated immediately to the parties.
- 4.2 The decision shall include:
  - i. a summary of the events regarding the appeal;
  - ii. a justified reply to each allegation brought forward by the parties;
  - iii. a clear decision on the appeal, based on the reply to each individual argument;
  - iv. a clear statement on the steps to be taken by both HQAI and the audited organisation;
  - v. as relevant. the distribution of costs between the parties;
- 4.3 HQAI and the audited organisation shall determine unanimously whether and, if so to what extent, the subject of the appeal and its resolution shall be made public.
- 4.4 The appeal shall not suspend the validity of the decision which is being appealed, unless otherwise decided by the duly convened Appeals Panel.
- 4.5 As appropriate, the audited partner shall report back to HQAI on the timely implementation of corrective actions resulting from the appeal, which shall be checked at the next subsequent audit.

## 5. Documentation and reporting

- 5.1 Upon closure of an appeal, the Appeal Panel shall transmit all the file to the Secretariat.
- 5.2 The Secretariat shall archive the whole file in a folder which access is restricted to authorised people.
- 5.3 Once a year at a minimum, HQAI shall report to the Board of Directors and the Complaint and Advisory Board of all complaints received during the year, their status and outcome.