



**STANDARDS**  
MALAYSIA

**DEPARTMENT OF STANDARDS MALAYSIA  
ACCREDITATION OF CONFORMITY ASSESSMENT BODIES**

**CAB 2  
COMPLAINTS**

Issue 4, 27 June 2018

**Authority to issue**

**Director General  
Department of Standards Malaysia**

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## 1. PURPOSE

- 1.1 This document details the arrangement adopted by Standards Malaysia to ensure a timely, independent and effective resolution of complaints from persons or organisations.

## 2. REFERENCES

- 2.1 ISO/IEC 17011: Conformity assessment – Requirements for accreditation bodies accrediting conformity assessment bodies
- 2.2 IAF/ILAC A5 Multi-Lateral Mutual Recognition Arrangements (Arrangements): Application of ISO/IEC 17011
- 2.3 Accreditation Quality Manual, AQM
- 2.4 *Prosedur Pengurusan Aduan Jabatan*

## 3. DEFINITIONS

- 3.1 For the purpose of this document, definitions in the relevant ISO/IEC standards shall apply. The following definitions and abbreviations shall also apply.

**Accreditation criteria:** Includes the appropriate accreditation standard, and all Standards Malaysia approved policies and procedures at the time of application, and those approved from time to time subsequent to accreditation, that are applicable to the accreditation schemes under which accreditation is sought.

**Accredited Conformities Assessment Bodies (CAB):** A body that has been accredited by Standards Malaysia in accordance with specific criteria, procedures and requirements to operate, on a continuing basis, as a conformity assessment body.

**Complaint:** Expression of dissatisfaction, other than appeal, by any person or organisation, to Standards Malaysia, relating to the activities of Standards Malaysia, applicant / accredited CAB and customer of accredited certification body (CB), where a response is expected.

Note:

- a) Category 1 Complaints – Complaints about the accreditation services and related activities of Standards Malaysia.
- b) Category 2 Complaints – Complaints about conformity assessment services of an applicant/accredited CAB by Standards Malaysia.
- c) Category 3 Complaints – Complaints about a customer of an accredited certification bodies (CBs)

**Director General:** The Chief Executive Officer of the Department of Standards Malaysia appointed in accordance with Section 9 of the Standards of Malaysia Act 1996 and for the purpose of carrying out the duties and functions detailed in Subsection 10 of the same Act.

**Malaysian Standards and Accreditation Council, MSAC (hereinafter referred to as the Council or MSAC):** The Malaysian Standards and Accreditation Council is an Advisory Council established under Section 13 of the Standards of Malaysia Act 1996 (Act 549) and has the function of advising the Minister on policies, criteria and procedures on standardisation activities, accreditation schemes, GLP Compliance Programme and other programmes administered by Standards Malaysia.

#### **4. GENERAL**

- 4.1 Standards Malaysia will endeavour to take action on any claims of dissatisfaction, formal or informal, that is brought to its attention with regards to the activities of Standards Malaysia or an applicant / accredit CAB by Standards Malaysia or customer of an accredited CB. Expressions of dissatisfaction brought to the attention will be treated as complaints and will be handled in accordance to this document and other relevant procedures.
- 4.2 Standards Malaysia has established a procedure to investigate and decide on the validity of complaints. For valid complaints, Standards Malaysia will take appropriate actions and assess their effectiveness and maintain records of all complaints and actions taken. Standards Malaysia will acknowledge receipt of the complaint and provide the complainant with the progress reports and the outcome of the complaint.
- 4.3 Standards Malaysia may conduct unannounced assessments if investigation and analysis of complaint indicates that the accredited CAB no longer complies with Standards Malaysia Accreditation Criteria.
- 4.4 Standards Malaysia will be responsible for gathering and verifying all necessary information to validate the complaint. Standards Malaysia reserves the right to decline any invalid complaints against its accreditation processes and procedures.
- 4.5 Complaints made to Standards Malaysia shall not in any way result in discriminatory actions against the complainant. Information about the complainant will be kept confidential.
- 4.6 Complainant is advised to lodge a complaint concerning an accredited CAB's services to the respective CAB directly for the CAB's further action. The complainant should provide the CAB ample opportunity to rectify the situation. If the complaint remains unresolved then the complainant may lodge a complaint to Standards Malaysia.

#### **5. HOW TO LODGE A COMPLAINT**

- 5.1 A complaint may be submitted to Standards Malaysia in writing, by email, letter, facsimile or any other means with detailed information of the complaint and complainant. Dissatisfaction based on hearsay will not be considered as a complaint.
- 5.2 The complaint submitted may include sufficient objective evidence to substantiate the complaints and allow for Standards Malaysia to take appropriate action.

## **6. PROCEDURE FOR DEALING WITH COMPLAINTS**

6.1 A correspondence will only be classified as a complaint by Standards Malaysia when the complaint refers to Standards Malaysia or an applicant / accredited CAB or a customer of an accredited CB. Before accepting incoming correspondence as a complaint, Standard Malaysia will ensure that the complaint is substantiated and satisfied that all attempts have been made to resolve the issue at the lowest/appropriate level, e.g. with the accredited CAB.

6.2 Standards Malaysia will acknowledge the complaint, if full information with regards to the complaint is provided.

6.3 Standards Malaysia will review the information and decide the validity of the complaint received.

If complaint is not valid, Standards Malaysia will recommend that investigation is not necessary and will provide a formal reply to the complainant on the decision made by Standards Malaysia.

If the complaint is valid, Standards Malaysia will appoint an Investigation Officer (IO) to conduct investigation on the complaint.

6.4 In all respects, it is to be ensured that there is no conflict of interest and that impartiality is preserved.

6.5 The complaint may be forwarded to relevant authorities i.e. regulatory agency, whenever necessary.

### **6.6 Complaint about Standards Malaysia (Category 1)**

6.6.1 Where the complaint involves Standards Malaysia directly, the Investigation Officer shall investigate and make recommendations to the Director General on all issues relevant to Standards Malaysia. In resolving all the issues, the Investigation Officer shall consider both immediate and long-term action required by all parties concerned.

6.6.2 If the Director General is the subject of complaint, the Investigation Officer shall investigate and make recommendations to the Chairman of MSAC.

6.6.3 Once a conclusion is reached, the Investigation Officer shall write to the parties concerned advising them of those parts of the outcome that affect them.

### **6.7 Complaints related to an applicant/accredited CAB (Category 2)**

6.7.1 The Investigation Officer shall, consistent with Standards Malaysia policy on confidentiality, formally bring the substance of the complaint and any relevant facts to the notice of the complainee, even where these have already been made known to the complainee by the complainant. The Investigation Officer will formally request the complainee to respond to Standards Malaysia, within 14 days, provide comments on the complaint and detailing the actions the organisation proposes or has taken to investigate and resolve the matter. The Investigation Officer should ensure that the complainee considers the immediate and long-term aspects.

6.7.2 If correspondence is not received from the complainee within the specified period of time, a reminder will be dispatched. Extended delays shall be brought to the attention of the Director General.

6.7.3 There may be a need for several rounds of correspondence between Standards Malaysia and interested parties, and on-site verification / unscheduled assessment to the accredited CAB.

6.7.4 Once Standards Malaysia is satisfied that the matter is resolved, the Investigation Officer shall ensure that the complainant is advised of the outcome through formal notice, in writing.

**6.8 Complaints related to customer of accredited Certification Bodies (CBs) (Category 3)**

6.8.1 When complaints are made against the customer of an accredited CB, Standards Malaysia will require the accredited CB to invoke its complaint handling procedure and to report to Standards Malaysia on a continuous basis until the complaint is resolved. Investigation officer needs to inform the complainant that the CB has undertaken the complaint and Standards Malaysia is monitoring the progress.

6.8.2 Standards Malaysia may not hesitate to conduct unscheduled assessments if unsatisfactory actions are taken to resolve the complaint.

**7 DECISION ON RESOLUTION OF COMPLAINTS**

7.1 A decision on a resolution of a complaint is final. Any further dissatisfaction to a decision on resolution of complaints will be resolved through an appeal.

7.2 Any decision by Standards Malaysia are independent and in no way is discriminatory to the complainee or complainant.