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REVISION HISTORY

DATE	VERSION NO.	PREPARED BY	DESCRIPTION OF CHANGES
24 June 2019	1	Nurul Husna bt Khasim	Initial version
14 February 2020	1a	Nurul Husna Khasim	Amended Appeal Panel 1 Added two (2) independent technical expert 2 Delete Quality Manager
22 September 2022	1b	Om Nashila Ramli	Amend: <ul style="list-style-type: none"> • Receipt of Complaints and Appeals • Appointment of Panel • Criteria for selecting the Panel Members • Management Review • Report • Corrective Action

REVIEW RECORDS

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1	Nur Shazwani bt Mohd Zakaria	26 June 2019
1a	Om Nashila Ramli	25 February 2020
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1 COMPLAINT AND APPEAL PROCEDURE

This procedure describes the process to handle complaints and appeals received from clients, certified organisations, users of services, accrediting body, and other parties in regards to the rules, policies, procedures, certification decisions, or overall ISCB operations.

This procedure shall be made available to the public.

2 OBJECTIVE

To identify the process to handle complaint and appeal to ensure they are managed consistently and effectively.

3 SCOPE

Applicable to all ISCB certification schemes.

All ISCB personnel with day-to-day operational roles within ISCB, and other CyberSecurity Malaysia and external personnel with ad-hoc operational roles must conform to these instructions where relevant to their responsibilities.

4 ROLES AND RESPONSIBILITIES

CEO, CyberSecurity Malaysia	Responsible to appoint the members of the Appeal Panel from the ISCB Scheme Management Board (ISMB).
Scheme Head	Responsible as the change authority of this procedure.
Client Relationship Manager (CRM)	Review the Complaint/Appeal
	Ensure the received Complaint/Appeal is valid
	Manage complaint record
	Inform complainant on the status of complaint or appeal after the matter has been deliberated by the committee appointed
	Assist and appoint third party personnel who has not been involved with the decision process
	Secretary of the Complaint/Appeals Panel

5 DEFINITION

Appeal	<p>Request by the provider of the object of conformity assessment to the conformity assessment body for reconsideration by that body of a decision it has made relating to that object (ISO/IEC 17000:2004, 6.4).</p> <p>Request by applicant, candidate or certified person for reconsideration of any decision made by the certification body related to her/his desired certification status ((ISO/IEC 17024:2012, 3.19).</p>
Appellant	The party who appeals for a legal or official decision to be changed.
Complaint/Appeals Panel	Appointed from among the members of the ISCB, to be in charge of the complaint/appeal process, and is accountable for safeguarding the impartiality with respect to the complaint/appeal and the operations of the organisation.
Complaint	Expression of dissatisfaction, other than appeal, by any person or organization to a conformity assessment body, relating to the activities of that body where a response is expected (ISO/IEC 17000:2004, 6.5).
Complainant	The party who makes the complaint in a legal action or proceeding.
ISCB certification	Products certification, management systems certification, and personnel certification.

6 PROCEDURE

6.1	Overview
	The complaint and appeals process are publicly available in each scheme's website.
6.2	Receipt of Appeal and Complaint
	CRM will record details in ISCB Control Register. The information to be recorded are as follow:

	<ul style="list-style-type: none"> • Complaint/Appellant Identifier • Date received • Complaint/ Appellant by whom • Description of Complaint/Appeal • Action to close out the Complaint/Appeal • Date complaint is closed
	CRM will acknowledge receipt of Complaint/Appeal via email or any other methods.
	Complaints/Appeal against the CRM will be addressed by the Scheme Head.

6.3 Complaint Validation Process

The investigation and validation process for each complaint will depend on its type. Details are as table 1 below.

Table 1: Investigation and Validation Process

TYPE OF COMPLAINT	INVESTIGATION AND VALIDATION PROCESS
ISCB service	<p>CRM will get all the related information and evidence pertaining to the complaint as to validate the complaint.</p> <p>If necessary, CRM will conduct a discussion with the complainant and/or the section concerned if need to get further information and clarification.</p>
Misused of certification mark	Refer to Handling of Misused of Certification Mark Procedure

<p>ISCB personnel and external resources</p>	<p>The investigation of a complaint may require an unscheduled internal quality audit to determine the action required. The investigation may also result in changes to procedures and/or additional training/counselling for individuals concerned. Any such training, (and follow-up to ensure effectiveness), should be documented for inclusion with the complaint documentation.</p>
	<p>Should the investigation indicate misconduct on the part of ISCB Personnel or failure to exhibit the desired behaviours required of ISCB's auditors, suitable disciplinary action should be taken (and documented) by the appropriate manager in addition to any further training/counselling, as noted above.</p>
<p>ISCB Client performance</p>	<p>The appropriate certified company should be notified of complaints received regarding its services; and request for explanation from the certified on the complaint received.</p> <p>Upon receive of response from the certified client, review the action taken. If necessary, advice from Head of Department may be sought and conduct audit/site verification.</p>
<p>Vulnerabilities of certified product or website</p>	<p>The individual assigned to investigate the complaint may consider it necessary to check other sources (e.g.: website content, report, test plan, etc.) that may have been affected by related problems and initiate further corrective/remedial action, as necessary.</p>

6.4 Receipt of Complaints and Appeals

Interested parties can submit Appeal and Complaint to certification@cybersecurity.my.

Upon acceptance of Complaint/Appeal, CRM will complete the following within 5 business days:

- Acknowledge receipt to Complainant/Appellant
- Notify both Scheme Head and relevant Scheme Manager

- Check the validity of the Complaint/Appeal. If valid, CRM may inform the appellant/complainant that the process will complete within 20 business days.
- Record the Complaint/Appeal in ISCB Control Register

For valid complaint/appeal, CRM will appoint three (3) persons as Panel (see Section 6.5).

Once a decision has been reached, the CRM will inform the client of that decision in writing. This notification will include informing the client that, if they are unsatisfied with the outcome of the complaint/appeal (within 5 business days), they may submit the request to the certification@cybersecurity.my. However, the review will only cover the effectiveness of the appeals process and the decision remains unchanged.

In the event of complaint/appeal made by a client against a decision of the Scheme Head, the CEO of CyberSecurity Malaysia will be notified.

All correspondence associated with the complaint/appeal are filed and the resolution is recorded in the ISCB Control Register.

6.5 Appointment of Panel

A panel of three members which consist of Scheme Head and two (2) independent technical experts will be appointed by CRM. The Panel will be chaired by the Scheme Head. The panel should decide within 20 business days upon receipt of complaint/appeal

CRM will be the Secretary for the panel meeting.

The complainant/appellant will be notified the progress.

The CRM should ensure that details pertaining to the issue under complaint/appeal are provided to the members of the Panel before the hearing. Results of previous similar appeals will be taken into account whenever possible.

Decisions made by the Panel including the grounds of their decision will be recorded. The decisions will be final and binding on both parties and should be determined by a simple majority.

The complainant/appellant will be informed of the final decision in writing. The result will be reported to next meeting of the ISMB and recorded in the minutes.

6.6 Criteria for selecting the Panel Members

In the event that a member(s) of the Panel has a conflict of interest, the member(s) will be replaced by another independent and impartial members.

All the panels including CRM must not previously be involved in the subject of the complaint/appeal and have any vested interests in the issues concerned.

Panel must have knowledge of the scheme being investigated.

6.7 Management Review

Review of Complaints and Appeals

Management Reviews include coverage of complaints and appeals. The progress of pending suspensions / withdrawals / cancellations and appeals are verbally reported by CRM and recorded in the minutes of meeting

Any corrective action further to that already taken, or of a more general nature, may be delegated to appropriate individuals. Actions are followed-up at subsequent Management Meetings and/or Advisory Board/ISMB Meetings.

6.8 Report

Upon completion of investigation, the outcome of the audit/testing will be documented in Complaint/Appeal Report. Recommendations to be made will be based on the outcome of the investigations and should be discussed within ISCB concerned.

The corrective action if any, (with a date of completion) on the agreed recommendation should be taken by the scheme/personnel

concerned. It is recommended that the completion date for action is within 3 months.

Inform the complainant/appellant on the action taken.

6.9 Corrective Action

Any Corrective Action may be delegated to appropriate personnel.

Corrective Action can be reviewed and followed-up during ISCB Management Review chaired by Head of Department.

The status of corrective action completion will be reported during ISCB Management Board meeting.

RELATED DOCUMENTS & RECORDS

Management Review Minutes Meeting

ISMB Minutes Meeting

Hearing Minutes Meeting

ISCB Control Register-Complaint Report

References:

ISCB Common Manual, ISCB MSC Manual, ISCB ProC Manual, ISCB ISPC Manual, and the relevant ISCB procedures (Control of Records Procedure, Control of Document Procedure, etc.)

ISO 9000 Quality Management Systems – Fundamentals and Vocabulary

ISO/IEC 17000: 2004, Conformity assessment — Vocabulary and general principles

ISO/IEC 17021-1: 2015, Conformity assessment — Requirements for bodies providing audit and certification of management systems - Part 1: Requirements

ISO/IEC 17024: 2012, Conformity assessment — General requirements for bodies operating certification of persons

ISO/IEC 17065: 2012, Conformity assessment — Requirements for bodies certifying products, processes and services

ISO/IEC 17030: 2003, Conformity assessment — General requirements for third-party marks of conformity

ISO/IEC Guide 23: 1982, Methods of indicating conformity with standards for third-party certification systems

ISO/IEC Guide 27: 1983, Guidelines for corrective action to be taken by a certification body in the event of misuse of its mark of conformity

ISO/IEC 17020 Conformity assessment — Requirements for the operation of various types of performing inspection

ISO/IEC 17025 General requirements for the competence of testing and calibration laboratories

ISO/IEC 17067:2013 Conformity assessment -- Fundamentals of product certification and guidelines for product certification schemes

ISO/IEC TR 17026:2015 Conformity assessment -- Example of a certification scheme for tangible products

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