	<b>GUIDELINE</b>	Document No:	AKR-Pr04-Rh-001-Rv01
	<b>Guideline on Complaints and Appeals</b>	Date of Issue:	19.11.2019
		Revision Date/No:	19.11.2019/Rv00
		Page No:	1/5

## 1. OBJECTIVE AND SCOPE

The objective of this Guideline is to present how the applications for appeal by Halal Conformity Assessment Bodies (HCAB) and the applications for complaint by HCABs and/or third parties shall be handled by Halal Accreditation Agency (HAK).

The Guideline also aims to inform HCABs of their own obligations and the methods followed by HAK in complaints and appeal process.

## 2. TERMS, DESCRIPTIONS AND DEFINITIONS

**Appeal:** HCAB's request for re-evaluation of the decision on halal accreditation

**Assessment:** Determination of whether the activities, systems and personnel of a halal conformity assessment body comply with national and internationally accepted technical criteria, standards and related legislation

**Assessment for the Validity of Complaint:** On-site assessment for the confirmation/existence of the HCAB's case which is the subject of the complaint

**Assessor:** Person assigned by HAK to perform, alone or as part of an assessment team, an assessment of a HCAB

**Complaint:** The application that expresses dissatisfaction to be answered of real persons or legal entities regarding the procedures, policies, temporary or permanent personnel related to the accreditation activities of HAK, the activities performed by an accredited institution within the scope of the accreditation or any activities of HAK

**Complaint and Appeal Committee:** Committee in which the chairman is the Secretary General naturally and which takes decisions unanimously, evaluates and concludes complaints and appeals

**Corrective Action:** An activity related to the measures taken to resolve the causes to prevent the re-occurrence of existing nonconformity, defect or other unwanted situations.

**Scope of Halal Accreditation:** Specific conformity assessment activities for which halal accreditation has been granted

## 3. IMPLEMENTATION

### 3.1. Applications for Complaint


Applications for complaint can be made mainly for two (2) reasons:

- (1) The practices of the accredited HCAB by HAK in its scope of halal accreditation.

The applications for complaint in this context may be related to the violation of the halal accreditation rules by HCAB or may be related to the activities of the HCAB's client firms in the relevant scope.

In addition, the subject of the complaint may be based on following reasons (2);

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	<b>GUIDELINE</b>	Document No:	AKR-Pr04-Rh-001-Rv01
	<b>Guideline on Complaints and Appeals</b>	Date of Issue:	19.11.2019
		Revision Date/No:	19.11.2019/Rv00
		Page No:	2/5

- Handling of applications by HAK
- Assessments and follow-up activities of HAK
- Binding periods by which HAK implements its halal accreditation processes
- Attitudes and behaviours of the HAK’s assessment team that do not comply with the relevant legislation/international standards
- The performance of HAK’s personnel as deemed inadequate by the applicant/accredited HCAB

### 3.1.1. Basic Principles for Handling Complaints

In principle, when a complaint relates to the activities of the accredited HCAB and/or a certificated client of the HCAB, the complaint shall in the first instance be addressed to relevant party. Yet if there is no satisfactory result, complaints can be addressed to HAK.

It is essential to send the complaints in writing to HAK by using the “Notification Form” attached to this Guideline via official ways and with a wet-signature. Complaints that are not sent in such a way shall not be processed officially.

Complaints to HAK shall include as a minimum the following information;

- Name-surname and contact information of the complainant
- Brief summary of the complaint

Anonymous complaints, verbal complaints (telephone call etc.) and/or complaints via e-mail shall not be processed officially by HAK.

HAK acts evidence-based for the evaluation of the complaints. In this context, only “validated” complaints shall be processed.

If the complainant has submitted a written request, HAK informs (not to exceed two (2) times within the period until the complaint is resolved) the complainant about the current stage of the evaluation.

HAK informs all interested parties about the final decision for the complaint.


### 3.1.2. Handling of Complaints about HCAB’s practices/activities

Complaints registered by HAK shall be resolved by the Complaint and Appeal Committee unanimously. Complaint files are put on the agenda in the first Committee meeting that follows the registration date of the appeal. Committee regularly reports its activities to HAK Board of Directors (BoD).

If deemed necessary, the Committee carries out activities to validate the complaint before decision-making. All activities related to validation of the complaint shall be carried out by the supervision of the Committee.

An on-site assessment may be conducted to validate the subject of the complaint through evidences. This assessment may be conducted as part of surveillance activities within the current accreditation

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	<b>GUIDELINE</b>	Document No:	AKR-Pr04-Rh-001-Rv01
	<b>Guideline on Complaints and Appeals</b>	Date of Issue:	19.11.2019
		Revision Date/No:	19.11.2019/Rv00
		Page No:	3/5

cycle or as an extraordinary assessment. The Committee is entitled to decide whether to conduct assessment for validity of the complaint and to determine the method of assessment.

Assessments for the validity of complaint are conducted similar to regular accreditation assessments. Thus, rules related to the assessments for the validity of the complaint are same as the ones defined in “Guideline on Procedures and Principles of Conformity Assessment”. If the existence of the subject of the complaint is confirmed through assessment, the assessment costs (when not conducted simultaneously with a surveillance) shall be charged to the HCAB. In case no nonconformity is identified through assessment, assessment costs shall not be charged to the HCAB.

The Committee may request explanation from the HCAB regarding the complaint by notifying the HCAB before deciding on a complaint validation assessment. The decision for a notification shall be taken by the Committee. In case a notification is requested, the Committee examines the explanation of the HCAB and decides whether the explanation is sufficient to resolve the complaint or not.

If the results of the complaint validation assessment support the validity of the complaint or the explanation requested from HCAB is not sufficient to resolve the complaint, the HCAB shall be requested to implement corrective action.

HCAB shall be obliged to inform the Committee of all the activities -together with the evidences for results- (internal audit records etc.) to be carried out for the complaint. The time required for the HCAB to carry out the activities and to report to HAK is determined by the Committee.

If the HCAB’s activities and measures, regarding the complaint, are not considered sufficient to resolve the complaint, an extraordinary assessment may be conducted to the HCAB. The extraordinary assessments can be combined with the surveillance activities in the extent of the HCAB’s accreditation cycle. HAK is entitled to take decision on an extraordinary assessment and combine these assessments with surveillance. Rules related to the assessments in this context, are also same as the ones defined in “Guideline on Procedures and Principles of Conformity Assessment”.

Where activities of HAK are subject to complaints, the Complaint and Appeal Committee evaluates the validity of the complaint as well. Corrective actions for the valid complaint to be implemented by HAK shall be determined by the Committee and the complainant will be informed of these actions.


All complaints shall be processed and resolved within thirty (30) working days. Where the activities of the HCAB are subject to complaint, thirty (30) working days’ time starts as of the HCAB’s explanation about the complaint.

### **3.2. Applications for Appeal**

Appeal can only be made for reconsideration of an adverse accreditation decision made by HAK.

In this context, only halal accreditation decisions made by HAK Board of Directors can be the subject of the appeal.

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	<b>GUIDELINE</b>	Document No:	AKR-Pr04-Rh-001-Rv01
	<b>Guideline on Complaints and Appeals</b>	Date of Issue:	19.11.2019
		Revision Date/No:	19.11.2019/Rv00
		Page No:	4/5

The appeal that will be made to the HAK’s halal accreditation decision, provided that the “Appeal Notification Form” is filled, shall be made in thirty (30) working days’ time starting from the decision notification date.

Additional documents may be attached to “Appeal Notification Form” by HCAB, if deemed necessary.

For an appeal to be processed and resolved by HAK, the application shall include the following information;


- Date of the halal accreditation decision to be subject of an appeal and the official decision/file number provided by HAK
- Reasons of the appeal
- Name and information of the representative to be addressed by HAK on behalf of HCAB and follow the application and

The appeal is put on the agenda in the first Complaint and Appeal Committee, that follows the submission date of the appeal to HAK.

Technical evaluation of the Complaint and Appeal Committee is presented to HAK BoD for evaluation. The final decision of the BOD on appeal shall be notified to the HCAB.

No additional process is possible for an application for appeal that is either rejected or processed and resolved by HAK. HAK’s decisions on the outcome of the appeal is final.

Appeals are resolved within thirty (30) working days’ time from the date of application. Additional information/documents may be provided from person, organization or sources, other than HAK, during the appeal evaluation process. However, activities to provide additional information/document to be conducted by the Committee under the supervision of the Secretary General is not included in thirty (30) working days’ time for resolution.

	<b>GUIDELINE</b>	Document No:	AKR-Pr04-Rh-001-Rv01
	<b>Guideline on Complaints and Appeals</b>	Date of Issue:	19.11.2019
		Revision Date/No:	19.11.2019/Rv00
		Page No:	5/5

**Annex: HAK's Process for Handling Complaints**

