



AINDT Complaints and Appeals Procedure

1. Definitions:

Complaint: For the purpose of this document, a Complaint is: a criticism of the AINDT process; a criticism of the AINDT administrative body; a criticism of an AQB; or a criticism of an AINDT certificate holder

Appeal: For the purpose of this document, an Appeal is an appeal against AINDT or the AINDT administrative body, for failure to certify.

All complaints shall be recorded and kept on file by the Federal Secretariat. Actions taken in resolving the complaint shall also be kept on file by the Federal Secretariat and be reported to the annual meeting of Federal Council.

All complaints in writing to State Branches shall be forwarded to the Federal Secretariat for action.

2. Information for complainants or appellants

2.1 All complaints relating to the activities of the AINDT, the Certification Boards (CB), Authorised Qualifying Bodies (AQB), its committees, or certificate holders must be in writing.

Verbal complaints will not be accepted as formal complaint.

2.2 Complaints may be made by any individual (certificate holder, certificate holder's employer, or client of employer) against AINDT, or an AINDT AQB.

2.3 Appeals may be made against a decision taken by AINDT not to award a certificate, to withdraw or cancel a certificate, or not to renew/recertify a certificate.

2.4 Submission, investigation and decision on appeals shall not result in any discriminatory actions against the appellant.

2.5 Complaints will initially be directed by the Federal Secretariat and the most appropriate AINDT representative. Typically, this would be the Certification Manager or CEO, however, may vary dependent on complaint nature.

2.6 Once sufficient information has been obtained, the AINDT authorised representative will decide whether to manage the complaint or appeal himself/herself or constitute the appointment of an AINDT Complaints and Appeals Panel.

2.7 Where a complaint or appeals panel is not appointed, the authorised representative shall review all relevant material within 42 days of receipt of a written complaint or appeal and decide upon the appropriate action to be taken.

2.8 Where appointed, the Complaints and Appeals Panel will meet and review all relevant material within 42 days of receipt of a written complaint or appeal and decide upon the appropriate action to be taken.

2.9 Where the Panel cannot (for whatever reason) reach a decision, the matter will be referred to the applicable Certification Board or, in exceptional circumstances (as decided by the Certification Board) the AINDT Federal Council and/or Board of Directors.

3. AINDT Complaints and Appeals Panel

3.1 The Panel will be responsible to the applicable Certification Board for assessing individual cases of complaint or appeal.

3.2 The AINDT Complaints and Appeals Panel shall be constituted of not less than three ordinary members of the applicable CB including the Certification Manager or CEO. At least one member of the Panel will have technical expertise relevant to the complaint or appeal under consideration.

3.2 No person having a direct interest in the case of complaint or appeal in hand shall serve on the Panel.

4 Method of Working

4.1 The Certification Manager, CEO and/or the CB Honorary Secretary will gather all necessary information from the parties concerned in order that the case can be fully assessed by the Panel.

4.2 A meeting of the Panel shall be convened by the Honorary Secretary in writing, giving clear notice of the meeting (unless the case is to be dealt with at a scheduled CB meeting).

4.3 The Panel shall take into consideration all of the material submitted when reaching a decision. Where the Panel is able to reach a unanimous decision, the Honorary Secretary will implement the decision and submit a brief report of the circumstances and decision to the next meeting of the CB.

4.4 If the decision of the Panel is not unanimous, it shall be referred to the next ordinary meeting of the CB which shall decide the case by majority decision.

4.5 Once the complaint or appeal has been considered and a decision has been made, the outcome will be corresponded to all interested parties.

5 Appeals.

5.1 If it transpires that the AINDT administrative body has made a mistake when making a decision not to award a certificate, to withdraw or cancel a certificate, not to renew a certificate, or reduce the scope of a certificate, then the decision should be reversed as soon as possible without further costs to the appellant.

5.2 All other appeals will be considered on their own merits; however, no decision by the Appeals Panel should be seen to be circumventing due process, in as much as, a certificate holder must have demonstrated his/her competence by passing the appropriate examination in accordance with the procedures set out in the relevant AINDT Guide To Qualification & Certification.

5.3 Other decisions by the Appeals Panel could include 'issuing a certificate subject to certain conditions', 're-sitting part of an examination', 'gaining more experience', 'additional surveillance' or any other measure that is seen to be fair and appropriate.

6 Complaints.

6.1 All complaints relating to the activities of the AINDT and or the Certification Boards, if upheld, shall be reported to the Federal Council and Board of Directors. All effort shall be made to rectify the issue as soon as possible, and where applicable an apology made.

6.2 All upheld complaints relating to Authorised Qualifying Bodies (AQB's) shall be managed on a case by case bases. With penalties ranging from written warnings to withdrawal of accreditation.

6.3 AINDT certificate holder – If a complaint is made against an AINDT certificate holder, it is likely to be for one of two fundamental reasons, either there is an issue relating to technical competence or there is an issue relating to the Code of Conduct.

6.4 If a complaint is made about an AINDT certificate holder's technical competence, then only penalties relating to the Method should be considered.

6.5 If the complaint is about an AINDT certificate holder not complying with the Code of Conduct, then penalties ought to be considered for all Methods and not just the Method for which the complaint applied to.

7 Appeals against initial Complaint or Appeal

7.1 Depending on the outcome, the complainant or appellant will have 15 working days to appeal the decision. After the appeal against the decision has been considered and adjudicated upon, no further appeals will be allowed unless new evidence is forthcoming.

7.2 Secondary appeals shall be assessed by the AINDT Federal Council and or Board of Directors.