



# Complaint Management Procedure

Doc. code	QP/CMP
Revision No.	01
Issue Date	20-04-2023

## Complaint Management Procedure

### 1. Purpose

The purpose of this procedure ("Procedure") is to describe the process to be followed by FIDIC Credentiaing Limited (FCL) to receive, evaluate, validate, and make decisions on certain complaints from applicants, candidates, certificate holders, members of public, other interested parties, or FIDIC or FCL referred to as the "Complainant" against a person referred to as "the Respondent".

### 2. Scope

This procedure covers any complaint officially received in writing by FCL, regarding:

- a) FCL staff and/or assessors and/or FCL committee members in relation to any certification services offered by FCL, (Category 1"); or
- b) an FCL certificate holder's misconduct or breach of FCL Terms of Services and/or FCL regulations ("Category 2")

as referred to in this document as a "Complaint".

A Complaint does not include a challenge or appeal against decisions on the award, suspension, or withdrawal of certification, which are dealt with by the FCL Challenges and Appeals committee, under the FCL Challenges and Appeals procedure.

Nor does a Complaint include a complaint from FCL staff against FCL which should be dealt with under FCL's internal procedures, unless it otherwise comes within the description of a Complaint.

### 3. Responsibility

- 3.1. FCL Management Team shall be responsible for receiving all written Complaints and for communication with the parties.
- 3.2. FCL Professional Conduct and Complaints Committee may set up additional guidelines to address Complaints and/or deal with any Complaints submitted.

### 4. Submission of a Complaint

- 4.1. Anyone who wishes to submit a Complaint should email the FCL Management Team at [fcl@fidic.org](mailto:fcl@fidic.org) and attach a properly completed copy of the FCL Complaint Form (doc. Code: F/CF), providing all the details about their Complaint. Additional documentation may also be submitted together with the FCL Complaint Form. Complaints received by other means (e.g., simple emails, verbal means etc.) will not be addressed until it is submitted according to the requirements of this Procedure.
- 4.2. If the FCL Complaint Form (doc. code: F/CF) is not properly completed or additional information is needed, the FCL Management Team shall request the person submitting the Complaint (the Complainant) to re-submit the FCL Complaint Form (doc. code: F/CF) with the missing information.
- 4.3. If the person submitting the Complaint (the Complainant) does not comply with a request to provide a properly completed FCL Complaint Form (doc. code: F/CF) or any additional requested information within 10 working days of the date of the request, the Complaint shall not be dealt with under the Procedure.
- 4.4. The FCL Management Team shall acknowledge receipt of the Complaint within 5 working days of the receipt of the properly completed FCL Complaint Form (doc. code: F/CF) and commence the procedure to properly validate, investigate and decide what appropriate actions (if any) should be taken to address the Complaint. The evaluation of the Complaint shall start from the date when the FCL Management Team sends an acknowledgement of receipt of the properly completed FCL Complaint Form (doc. code: F/CF).

Prepared By	Approved By	Signature	Page
General Manager	Professional Conduct and Complaints Committee		4 of 4



# Complaint Management Procedure

Doc. code	QP/CMP
Revision No.	01
Issue Date	20-04-2023

## 5. Evaluation of the Complaint

- 5.1. A member of the FCL Management Team shall validate and classify the Complaint in one of the categories listed below:
  - 5.1.1. Not Valid: complaints which are not Complaints to which this Procedure applies.
  - 5.1.2. Category 1 Complaints: Complaints about certification services offered by FCL or against FCL staff and/or assessors and/or FCL committee members.
  - 5.1.3. Category 2 Complaints: Complaints that are relevant to an FCL certificate holder's misconduct; breach of FCL Terms of Services and/or FCL regulations.

## 6. Management of Complaints which are not valid.

- 6.1. If the Complaint is classified as Not Valid, the FCL Management Team shall inform the person who submitted the complaint that the complaint is not a valid Complaint, within 20 working days from the date indicated in clause 4.4 of this procedure.

## 7. Management of Category 1 Complaints

- 7.1. If the Complaint is classified as a Category 1 Complaint and can be addressed following the relevant internal procedures and guidelines already set, the FCL Management Team shall attempt to address it directly.
- 7.2. If the Complaint cannot be resolved by following the relevant internal procedures and guidelines already set, it shall be escalated to the FCL General Manager, together with the properly completed copy of the FCL Complaint Form (doc. code: F/CF).
- 7.3. The FCL General Manager may request additional information from the person (the Complainant) who submitted the Complaint.
- 7.4. The FCL General Manager shall analyse the Complaint, decide whether the Complaint is justified and decide upon any action to deal with the Complaint, including any appropriate corrective actions to address the Complaint and avoid similar future Complaints. The FCL General Manager may consult with the appropriate body of FCL's governance structure before officially addressing the Complaint. The FCL General Manager may escalate the Complaint to the Committee, to be dealt with as a Category 2 Complaint.
- 7.5. The FCL General Manager shall address the Complaint and reply through the FCL Management Team to the person (the Complainant) who submitted the Complaint. The decision shall be final. A further Complaint on the same case or a Complaint on the outcome of the initial Complaint will not be a valid Complaint.
- 7.6. A Category 1 Complaint shall be addressed as above within 20 working days from the date indicated in clause 4.4 of this procedure.
- 7.7. If the Category 1 Complaint relates to the FCL General Manager or the FCL General Manager declares a conflict of interest with the person (the Complainant) submitting the Complaint, the Complaint shall be dealt with as a Category 2 Complaint.

## 8. Management of Category 2 Complaints

- 8.1. If the Complaint is classified as a Category 2 Complaint, it shall be referred to the FCL Professional Conduct and Complaints Committee (the "Committee").
- 8.2. The FCL Professional Conduct and Complaints Committee, through the FCL Management Team, shall inform the person who is the subject of the Complaint (the Respondent) that a substantiated Complaint about them has been submitted, and has been classified as a Category 2 Complaint and will be dealt with by the Committee. Information relating to the Complaint received may be requested of the Complainant, by the Appeal panel, when this is officially formed, and as appropriate.

Prepared By	Approved By	Signature	Page
General Manager	Professional Conduct and Complaints Committee		4 of 4



# Complaint Management Procedure

Doc. code	QP/CMP
Revision No.	01
Issue Date	20-04-2023

- 8.3. The FCL Management Team shall request the members of the Committee to declare any conflicts of interest related to the parties involved in the Complaint, before sharing all available data. If any of the Committee members declares any conflicts of interest, that member(s) shall be excluded from the remaining procedure and shall be replaced.
- 8.4. The Chair shall decide if the Complaint will be addressed by the entire Committee or through a dedicated Panel and shall inform the FCL Management Team accordingly. The Chair, or a member of the Committee replacing the Chair, may appoint external members who are qualified to handle the Complaint. These external members can be members of the FCL Management board, or FCL Certification board, or any individual(s) the FCL Management board identifies as being suitable for the role.
- 8.5. The Chair shall be the main point of contact with the FCL Management Team for the case. If a panel is formed, their members shall decide who will be the person who will act as the main point of contact with the FCL Management Team for the case.
- 8.6. The Chair, or a member of the Committee replacing the Chair, may appoint a legal advisor to observe and advise the members of the Committee/Panel on the complaint process.
- 8.7. The FCL Management Team shall create a dossier for the Complaint. The dossier shall include all relevant documentation for the case. This may include and is not limited to:
  - 8.7.1. The submitted FCL Complaint Form (doc. Code: F/CF).
  - 8.7.2. Any additional information requested and/or submitted by the person (the Complainant) who submitted the Complaint.
  - 8.7.3. Any correspondence between the person (the Complainant) who submitted the Complaint and FCL Management Team.
  - 8.7.4. Any other information that will be useful for the review of the Complaint in a constructive, impartial, and timely manner.
- 8.8. The complaint dossier shall be shared with the members of the Committee/Panel.
- 8.9. The Committee/Panel may appoint an independent investigator/expert to report to the committee on the facts or the law.
- 8.10. The Committee/Panel may examine the Complaint either via correspondence or by convening a meeting.
- 8.11. It may be possible to make a decision based on the paperwork alone.
- 8.12. The Committee/Panel may also decide to interview the person (the Complainant) who submitted the Complaint or the person (the Respondent) who is the subject of the submitted Complaint. The dossier of the case shall be shared with the person(s) to be interviewed before the interview.
- 8.13. A Category 2 Complaint shall be addressed within 30 working days from the date indicated in clause 4.4 of this procedure. The Committee/Panel responsible for addressing the Complaint may extend the timeframe for taking the decision by an additional 45 (calendar) days, in which case, the person (the Complainant) who submitted the Complaint shall be notified of this.

## 9. Decision on a Category 2 Complaint

- 9.1. The Committee/Panel will decide whether the Complaint against the person (the Respondent) is established and can make one of the decisions provided below:
  - 9.1.1. Dismiss the Complaint.
  - 9.1.2. Recommend corrective action of the Respondent.
  - 9.1.3. Direct the Respondent to take defined corrective action and suspend the certification of the Respondent until the Respondent completes the corrective action.
  - 9.1.4. Withdraw the certification of the Respondent.
- 9.2. The decision may be unanimous or by simple majority. The decision taken is final.

Prepared By	Approved By	Signature	Page
General Manager	Professional Conduct and Complaints Committee		4 of 4



# Complaint Management Procedure

Doc. code	QP/CMP
Revision No.	01
Issue Date	20-04-2023

- 9.3. The Committee/Panel shall create a written report (“the Complaint Report”) with the decision taken on the Complaint to be sent at the same time to the Complainant and the Respondent through the FCL Management Team. The report may include:
- 9.3.1. The name of the Complainant
  - 9.3.2. The name of the Respondent.
  - 9.3.3. The name of the relevant certification service or programme.
  - 9.3.4. The submitted FCL Complaint Form (doc. code: F/CF).
  - 9.3.5. The complaint dossier and any other information/documentation that was reviewed.
  - 9.3.6. The decision and the reasons for the decision.
  - 9.3.7. The final nature of the decision.
  - 9.3.8. Name and signature of the Chair of the Committee or the appointed point of contact of the Panel.
  - 9.3.9. Date and place of the decision.
- 9.4. FCL Management Team shall send the Complainant and the Respondent the Complaint Report via email within 5 working days from the receipt of the Complaint Report from the Committee/Panel.
- 9.5. The decision of the Complaint Panel shall be final and binding. A further Complaint on the same case or a Complaint on the outcome of the initial Complaint will not be a valid Complaint.

## 10. Records

- 10.1. The FCL Management Team shall keep a Complaints Log of all the complaints submitted.
- 10.2. The FCL Management Team shall keep all the records and documentation of each Complaint for 10 years.

## 11. References

- 11.1. ISO 17024:2012, clause 9.9.
- 11.2. FCL Manual and Handbook.

## 12. Exhibits/files

- 12.1. FCL Complaint Form (doc. code: F/CF).
- 12.2. FCL Complaint Report template.
- 12.3. FCL Complaint Log template.

Prepared By	Approved By	Signature	Page
General Manager	Professional Conduct and Complaints Committee		4 of 4