NABL 132

National Accreditation Board for Testing and Calibration Laboratories (NABL)

Procedure for Dealing with Complaints

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AMENDMENT SHEET

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1. INTRODUCTION

1.1. This document describes the process of dealing with complaints received from various sources which includes issues related to competence of accredited Conformity Assessment Bodies (CABs) like Testing Laboratories/ Calibration Laboratories / Medical Testing Laboratories / Proficiency Testing Providers (PTP) / Reference Material Producers (RMP)/ Biobanks. Also, NABL is open to receive feedbacks about its accreditation services.

1.2. Anonymous complaints are also registered if prima facie they appear to be valid and have substance with supporting evidence.

2. PURPOSE

2.1. NABL is committed to ensuring that complaints relating to its own activities and the competence of NABL-accredited CABs are handled in a fair, impartial and timely manner.

2.2. This procedure establishes the principles, scope and process for receiving, validating, investigating and closing complaints in accordance with ISO/IEC 17011: 2017 and NABL requirements.

3. DEFINITION

Complaint

An expression of dissatisfaction, other than an appeal, made by any person or organization relating to:

- an NABL-accredited CAB; or
- the misuse of NABL accreditation,

where a response is expected

4. GUIDING PRINCIPLES

NABL shall ensure that:

- every complaint is treated impartially and objectively;
- all complaints are evaluated solely based on objective evidence received from the complainant;
- persons involved in complaint investigation are independent of the subject of the complaint;
- no complaint shall result in any discriminatory action against the complainant or the accredited CAB and
- decisions are based on accreditation requirements and not on commercial or contractual considerations

5. PURVIEW OF COMPLAINTS

Complaints within NABL Purview	Complaints Outside NABL Purview
NABL may investigate complaints relating to: • Technical competence of an accredited CAB • Accuracy, reliability or validity of tests and calibration results • Non-compliance with applicable accreditation standards or NABL accreditation requirements • Misuse of NABL accreditation status, accreditation symbol or accreditation claims • Any other matter that may affect the continued compliance of an NABL-accredited CAB with accreditation requirements	The following matters are outside NABL's purview: • Refunds, fees, pricing or billing disputes, between the CAB & its customer • CAB's employee salary or employment related matters • Customer service, staff behaviour or appointment scheduling • Delay in service of the CAB or non-acceptance of sample by the CAB • Contractual or commercial disputes between a CAB and its customers • Contractual or commercial disputes between a CAB and its employees • Claims for compensation or damages • Complaints against organizations that are NOT ACCREDITED by NABL • Complaint with respect to the parameters that are not covered in NABL accredited scope • The matter which is not related to competency of the CAB Such matters should be referred to the appropriate consumer forum, statutory authority, regulator, employer or judicial authority.

Note:
NABL is an accreditation body. It is **not** a regulator, an enforcement authority, a consumer grievance forum, an adjudicating authority or a court of law. Accordingly, NABL cannot award compensation, impose penalties, resolve contractual disputes, direct laboratories to refund money or decide civil or criminal liability.

6. EXCEPTION

Notwithstanding Clause 5 and irrespective of whether the organization is accredited by NABL, complaints relating to the following shall be investigated:

- fraudulent claim of NABL accreditation;
- misleading accreditation claims;
- unauthorized use of the NABL Accreditation Symbol;
- forged or altered accreditation certificates;

7. COMPLAINT HANDLING PROCESS

7.1. All complaints received by NABL shall undergo initial scrutiny/ preliminary review to determine whether they fall within the NABL's purview and whether they are valid, based on which any of the following action shall be taken. NABL reserves the right to decline or close complaints that fall outside its mandate / purview.

7.2. In case the issue pertains to the services availed by CAB customer from the CAB, NABL may refer the complaint, together with relevant supporting information, to the concerned NABL accredited CAB to enable it to review the matter, provide a response directly to the complainant & redressal of an issue, with a copy to NABL. Such referral does not preclude NABL from initiating or continuing its own review or investigation where the nature or seriousness of the complaint warrants immediate action.

7.3. Receipt of a complaint shall not necessarily result in an adverse decision regarding the CAB's accreditation status. Any decision shall be evidence-based, proportionate to the findings, and taken in accordance with the applicable accreditation criteria and established NABL procedures.

8. SUBMISSION OF COMPLAINT

8.1. Complaints shall be submitted through NABL website www.nabl-india.org with sufficient documentary evidence.

8.2. The complaints can be received from any source including information from regulators / government department against the competence related issues in the services provided by the CAB. Complaints can also be received at NABL vide any of the means like letters, telephones (to be followed by written complaints), even relevant references appearing in print media.

8.3. Anonymous complaints may be considered where credible evidence exists.

8.4. Complaints without adequate supporting information will not be registered.

9. PRELIMINARY REVIEW

9.1. Every submission shall first undergo a preliminary review to determine:

- whether it falls within NABL's purview;
- whether sufficient information has been provided;
- whether the CAB is accredited for the activity concerned; and
- whether further investigation is warranted.

9.2. Where necessary, NABL may seek additional information before registering the complaint.

9.3. Where the information provided is insufficient to determine whether the complaint falls within NABL's purview or to initiate an investigation, NABL may seek additional information from the complainant. If adequate information is not received within the stipulated time, NABL may close the complaint without further action and inform the same to the complainant.

9.4. If the complaint appears to be valid, and the initial information provided is sufficient for initial investigation; the same shall be taken up for further action. The complainant will be acknowledged with unique complaint ID

9.5. If a complaint is outside the NABL’s purview, the complainant will be informed accordingly.

10. COMPLAINT INVESTIGATION

10.1. Where a complaint falls within NABL's purview:

- the complaint shall be forwarded to the CAB for its response;
- NABL shall evaluate both the complaint and the CAB's response;
- additional evidence may be sought;
- NABL may conduct document review;
- NABL may seek expert opinion;
- NABL may initiate surveillance, unannounced assessment or any other activity considered necessary.

10.2. The investigation shall be proportionate to the nature and seriousness of the complaint. Depending upon the nature, complexity or significance of the complaint, NABL may constitute an independent Committee to deal with complaints depending upon the nature of the complaint. The Committee may examine records, seek clarification from the complainant and the CAB, review evidence, recommend additional assessment activities, and submit its findings and recommendations to NABL for decision.

11. OUTCOMES OF COMPLAINT

11.1. Following investigation, NABL may conclude that:

- the complaint is not substantiated;
- the complaint is substantiated but no accreditation impact exists;
- corrective action by the CAB is required;
- nonconformities are raised;
- additional assessment is necessary;
- adverse action is initiated in accordance with NABL adverse action procedures.

11.2. The decisions shall be evidence-based, proportionate to the findings and taken in accordance with the applicable accreditation criteria and established NABL procedures.

11.3. Decisions arising from complaint investigations shall be taken by NABL based on the findings of the investigation and the recommendations of the Committee (where constituted).

11.4. NABL will issue a notice of adverse action to the CAB before taking any adverse action. The CAB will be given an opportunity to nominate a representative (from staff only) for personal hearing to respond to the notice given for initiating adverse action.

11.5. If any adverse actions have been taken against the CAB, the status will be published on NABL Website.

11.6. The progress report, outcome of complaint & its closure will be communicated to the complainant.

11.7. If the accreditation status of the CAB is suspended/ withdrawn, the procedure as per NABL 216 has be followed for re-enrollment.

12. CONFIDENTIALITY

12.1. All information received during complaint handling shall be treated as confidential.

12.2. NABL shall not share investigation reports, assessment reports, internal records or evidence with complainants unless required by law.

12.3. The complainant shall be informed only of the conclusion of the complaint, consistent with confidentiality obligations.

12.4. The identity of the complainant shall be kept confidential unless disclosure is required by law or is essential for investigation.

13. COMPLAINT PROCESSING TIMELINES

When all the relevant information & evidence are available, the complaints are closed within 30 days.

14. VEXATIOUS OR REPETITIVE COMPLAINTS

14.1. NABL may choose not to investigate complaints that are:

- frivolous;
- malicious;
- repetitive without new evidence;
- abusive;
- intended to harass;
- clearly outside NABL's purview.

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