

## IACS PROCEDURE FOR HANDLING A COMPLAINT

### 1 INTRODUCTION

NOTE: This IACS Procedure for handling a Complaint is without prejudice to any right that any party may have pursuant to the IACS Charter and its Annexes to submit an appeal to the Independent Appeal Board (IAB).

- 1.1 IACS takes complaints seriously and shall ensure that admissible complaints are investigated according to the procedures established by the IACS Council. IACS endeavours to give to the complainant and the defending party, if any, a comprehensive and reasoned answer, in a timely manner.
- 1.2 All complaints should be addressed to the IACS Permanent Secretary (PS) in writing, clearly, explaining the nature of the complaint in detail and attaching any supporting evidence.
- 1.3 The English language is to be used for all documents and communication. Electronic transmission of documents is recommended.
- 1.4 The IACS Permanent Secretary (PS) will conduct an initial review of the complaint and refer it according to the following guidelines.

### 2 ADMISSIBILITY GUIDELINES

- 2.1 If a complaint is addressed to IACS having any one of the features described below in paragraphs i) to viii), IACS will not respond to the complaint:
  - (i) complaints against an IACS Member Society(ies) that the complainant had not first fully pursued with the Member(s), at all appropriate levels, as per the Member's (s') complaint handling procedures;
  - (ii) complaints which, to the knowledge of the complainant, of IACS or any of its Members, are under legal notice or litigation / judicial proceedings, whether actual or threatened;
  - (iii) complaints relating neither to IACS nor to its Members;
  - (iv) complaints received from parties which do not provide prima facie evidence that they are directly involved and/or affected by the activities of IACS and / or its Members;
  - (v) complaints involving IACS and/or one of its Members but relating to contracts between other parties such as, e.g. ship owner, shipbuilder, or between a ship owner or a shipbuilder and its suppliers;
  - (vi) complaints against IACS Member Society(ies) in a capacity other than their classification or Recognised Organisation (RO) role;
  - (vii) complaints relating to Accredited Certification Body (ACB) QSCS certification (these will have to be taken up with the respective ACB);

(viii) complaints received by IACS more than three years after the occurrence of the events to which they refer.

### **3 RESPONSIBILITY FOR COMPLAINT REVIEW**

- 3.1 Complaints relating to the obligations of IACS and its Members under the QSCS and its related requirements (QMSR, PRs, URs, CSRs and UIs) will be reviewed by the Quality Secretary (QS), Quality Committee (QC) and General Policy Group (GPG), as appropriate.
- 3.2 Complaints relating to the performance and behaviour of the Quality Committee (QC) and the Quality Advisory Committee (AVC) will be reviewed initially by the QC and AVC respectively and subsequently, if necessary, by the IACS Council.
- 3.3 Complaints relating to the performance and behaviour of the GPG will be initially reviewed by the GPG and subsequently, if necessary, by the IACS Council.
- 3.4 Complaints relating to the performance and behaviour of the IACS Council will be reviewed by the IACS Council.
- 3.5 Complaints relating to the performance and behaviour of the IACS Operations Centre staff, in relation to QSCS, will be reviewed initially by the Quality Secretary (QS) and subsequently, if necessary, by the Quality Committee (QC).
- 3.6 Complaints relating to the performance and behaviour of the Quality Secretary (QS) will be reviewed by the Quality Committee (QC), in relation to QSCS, and by the IACS Permanent Secretary (PS), for any other matter.
- 3.7 Complaints relating to the performance and behaviour of the IACS Permanent Secretary (PS) will be reviewed by the IACS Council.
- 3.8 Complaints relating to the obligations of a Classification Society as a Member of IACS will be reviewed by the IACS Council. This is without prejudice to any rights or obligations regarding membership which are included in the IACS Charter and in Volume 2 of the IACS Procedures.

### **4 PROCEDURE FOR HANDLING A COMPLAINT**

- 4.1 The IACS Permanent Secretary (PS) will, on receipt of the complaint, refer to the above Admissibility guidelines and advise the complainant and any other party against which the complaint is made forthwith whether the complaint is admissible. If the complaint is admissible the PS will provide the contact details of the person / body who will be reviewing the complaint and simultaneously advise the Chair of the relevant body within IACS responsible for reviewing the complaint (if applicable).
- 4.2 The person/body responsible for reviewing the complaint shall consider the merits of the complaint fairly, objectively and expeditiously and shall take such actions as he / it considers necessary to resolve the complaint (if appropriate) and advise the PS (save for complaints under 3.7 and 3.8 above), the complainant and any other party against which the complaint is made about the progress and final outcome of the review.

- 4.3 IACS shall endeavour to uphold the principles of fairness and objectivity in the handling of complaints and shall respect the rights of defence.

## **5 CONFIDENTIALITY**

- 5.1 All Members of IACS, the IACS Council, GPG, the Permanent Secretariat and its staff, the AVC and the QC are bound to respect the confidentiality of any information they may receive in the implementation of this procedure.

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