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1. Introduction

The primary purpose of this document is to describe the appeals procedure the WEEELABEX Organisation will follow if an appeal is lodged by:

- A. A candidate applying to become a WEEELABEX (specialist) Auditor;
- B. A WEEELABEX Auditor applying to become a WEEELABEX Lead auditor; and
- C. A WEEELABEX Auditor de-listed on decision of the WEEELABEX Organisation against the de-listing processes which negatively affect them.

Any such appeal suspends any decision against which the appeal is introduced.

The language of the appeal proceedings will be English, unless the parties to the appeal proceedings agree otherwise.

This document is based upon the roles of:

- The WEEELABEX Organisation
- The WEEELABEX Office
- The WEEELABEX candidate auditor (complainant)
- The WEEELABEX Auditor
- The Auditors' examiners, recommending the attestation to the candidates
- The examiners Pool (eligible as appeal examiners)
- The WEEELABEX Governing Council

2. The appeal processes

2.1. Candidates applying to become a WEEELABEX (specialist) Auditor

- 2.1.1. A (complainant) candidate applying to become a (specialist) WEEELABEX auditor, may appeal against the outcome of an approval process when he\she receives a negative result after the auditor examination process, and he\she is not obtaining the attestation requested;
- 2.1.2. If an appeal is received by the WEEELABEX Organisation the following appeals process flow chart shall be followed:

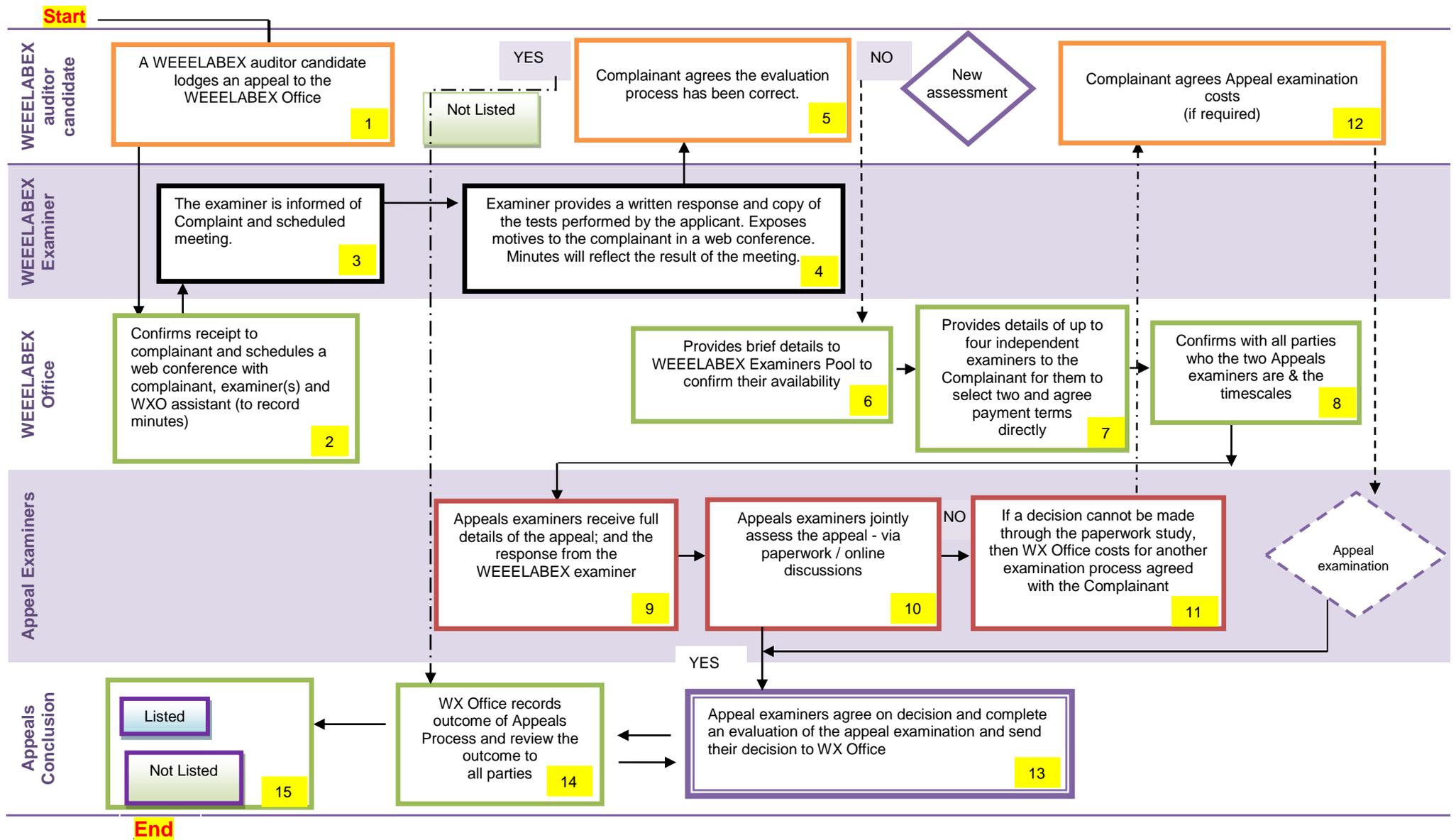


Figure 1. Appeals Process Flowchart - Candidates applying to become a WEELABEX (specialist) Auditor

2.1.3. Grounds of appeal

The grounds of appeal are to be limited to the approval process of the candidate and may include, but are not limited to:

- the outcome of one or more of the tests/examinations performed;
- the impartiality, behaviour or attitude of the examiner.

2.1.4. Making an appeal

The complainant shall write to the WEEELABEX Office with the following details:

- complainant name and address; contact name; telephone number and email address;
- the date and details of the examination process attended (and failed)
- the grounds of the appeal (details of the complaint being lodged).

2.1.5. Deadlines for making an appeal

An appeal must be lodged with the following time frames: the appeal must be received by the WEEELABEX Organisation within 15 working days of receipt of the negative decision to not list or de-list the candidate as a WEEELABEX auditor.

Information about the availability of the appeal process and applicable deadlines shall be provided to all candidates before the examination process.

2.1.6. Deadline for determining an appeal

An appeal shall be completed as soon as possible but no later than three months from the date it is received by the WEEELABEX Office.

The WEEELABEX Office shall be responsible for ensuring that all relevant parties are made aware of the deadline date when an appeal is received, and for monitoring and managing the process to ensure a timely delivery of the decision.

2.1.7. The steps of an appeal procedure

The following steps are in the same order of steps shown in *Figure 1 - Appeals Process Flowchart - Candidates applying to become a WEEELABEX (specialist) Auditor*:

1. The complainant sends his appeal to the WEEELABEX Office with the information required in clause 2.1.4
2. The WEEELABEX Office shall check that the required details have been submitted correctly (e.g. confirming the details of decision to list or de-list and that the examination dates are correct). It will identify the part of the candidate's assessment that led to de-list the candidate, and the examiner related to it (who will be "the examiner").
 - a. If this is confirmed, The WEEELABEX Office will inform the relevant WEEELABEX examiner of the appeal so that he/she may prepare a written response, check the candidate's assessment documents and provide a set of available dates to schedule a meeting.
 - b. the WEEELABEX Office will acknowledge receipt of the appeal, providing the date (which sets the deadline date for the appeal process) and reference number.
 - c. Should the details not be confirmed, then the WEEELABEX Office will contact the complainant to ascertain the correct facts, when the checks and acknowledgement will once again be performed within 5 working days of the correct details being received.

The WEEELABEX Office will ensure that the checks, acknowledgement, and agreement of the meeting date are made within 5 working days.

3. A meeting (it can be physical or on-line) will take place, the attendees being the candidate, the examiner and the WX Office assistant.
4. The candidate and examiner will review together the assessment that determined the de-listing of the candidate. The WX Office assistant will compile the main conclusions of the meeting.
5. If the complainant agrees on the decision taken by the examiner, the WX Office will keep record of the minutes of the meeting and communicate to the complainant the result of it (being, the complainant remains de-listed). If the complainant does not agree on the grounds of the de-listing, it will be recorded as such in the meeting minutes.
6. If the complainant does not agree on the grounds of the de-listing, with the exception of those examiners who are connected to the appeal, the WEEELABEX Office shall make contact with all the WEEELABEX examiners, providing brief details of the appeal only, to ascertain if they are available to hear an appeal; and if so, to confirm if they consider if they have a conflict of interest in the matter of the appeal.
 - a. WEEELABEX examiners are not required to be available to hear appeals, this is an optional activity.
 - b. The brief details to be circulated shall only contain the relative date and reference number of the appeal; and the type of examination that is the subject of the appeal.
 - c. 3.1 The WEEELABEX Office will aim to ensure that up to four WEEELABEX examiners respond positively to the call within 10 working days.
 - d. 3.2 The WEEELABEX Office shall not make any selection from those WEEELABEX examiners responding, but will nominate the first four positive responses (to ensure that WEEELABEX examiners respond as promptly as possible).
 - e. 3.3 The WEEELABEX examiners nominated to the complainant will then be known as Appeal examiners (for the duration of the appeal only).
7. The WEEELABEX Office will provide the complainant with the names and contact details of up to four independent Appeal examiners as promptly as possible.
 - a) The complainant shall contact those examiners to ascertain their costs and impartiality, initially for the desk-top review of the grounds of the appeal and appeal documents.
 - b) If any Appeal examiners are rejected, the WEEELABEX Office will pursue alternative WEEELABEX examiners, and nominate them to the complainant.
 - c) If no WEEELABEX examiners are available at the time the appeal is lodged, the deadline date will be extended to accommodate the timeframe when two WEEELABEX examiners are available, which shall be as soon as possible, and the WEEELABEX Office shall inform all parties of this change.

The complainant shall select two Appeal examiners from the list (and agree payment terms directly), and shall inform the WEEELABEX Office of their decision within 10 working days.

8. The WEEELABEX Office shall then confirm with all parties:
 - a. Who the Appeal examiners are and their contact details;

- b. The remaining time left for the investigation and decision making processes; and
 - c. Provide the Appeal examiners with all the grounds of the appeal.
9. The WEEELABEX office shall provide the Appeal examiners with:
- a. Their written response of the examiner to the appeal;
 - b. The candidate's assessment documents.
 - c. Any other information that the Appeal examiners considered to be necessary to their investigation.
10. The Appeal examiners shall ensure that the information provided by the WEEELABEX Office is kept confidential and is not passed to any other party.
- a. If at any time a conflict of interest becomes known by any of the Appeal examiners, they shall immediately inform all parties and shall return all documents received to the relevant party; and withdraw from the process.
 - b. An alternative Appeal examiner shall be selected using the process described above.

The Appeal examiners shall investigate the grounds of the appeal using the documents and information provided in order to determine whether or not the formal and/or material errors claimed by the complainant have unquestionably been made in the course of the examination process.

13. If a (negative or positive) decision can be concluded from the written information provided, then the Appeal examiners shall complete a report and send their decision to the WEEELABEX Office who will review and pass copies to all parties.
11. If one or both of them is of the opinion that errors have been made but a conclusion cannot be reached through the desktop study of the case, the Appeal examiners shall inform the WEEELABEX Office and the complainant for the performance of a new candidate's assessment (Appeals examination). The WEEELABEX Office will inform the candidate on the costs of the Appeal examination.

The costs shall be on the basis that the Appeal examination shall be assessed by all Appeal examiners.

The Appeal examination shall, as far as possible, replicate the performance of the assessment in the grounds of the appeal.

12. The complainant shall agree the payment terms with the WEEELABEX Office, who shall then make all necessary arrangements to carry out the test as quickly as possible.

The WEEELABEX Office shall inform the Appeal examiners of Appeal examination date so that the timeline can be monitored.

13. On completion of the examination, the Appeal examiners shall make their conclusions to uphold or reject the Appeal and provide an Appeal Report to the WEEELABEX Office.

14. The WEEELABEX Office will review the Appeal Report and will pass copies to all the relevant parties, who shall be required to keep all the said documents confidential and not pass them to any other party.

No details of the Appeal examiners, Appeal Report or appeal test (if one is performed) or other part of the appeal process shall be published by the WEEELABEX Office.

15. The decision by the Appeal examiners confirmed by the WEEELABEX Office shall be final and binding.

The WEEELABEX Office will either list or not list the (candidate) WEEELABEX Auditor as appropriate.

2.2. WEEELABEX Auditors applying to become WEEELABEX Lead Auditors

- 2.2.1. A (complainant) candidate applying to become a WEEELABEX Lead auditor, may appeal against the outcome of an approval process when he\she receives a negative result after the WEEELABEX Office General Manager evaluation, and he\she is not obtaining the upgrade requested;

When the appeal concerns a fast track lead auditor qualification process, the protocol of the previous case (clause 2.1) will apply. In this situation, WEEELABEX examiners are replaced by WEEELABEX assessors, which are mentioned in the document C 05 Fast Track Lead Auditor qualification process.

- 2.2.2. If an appeal is received by the WEEELABEX Organisation the following appeals process flow chart shall be followed:

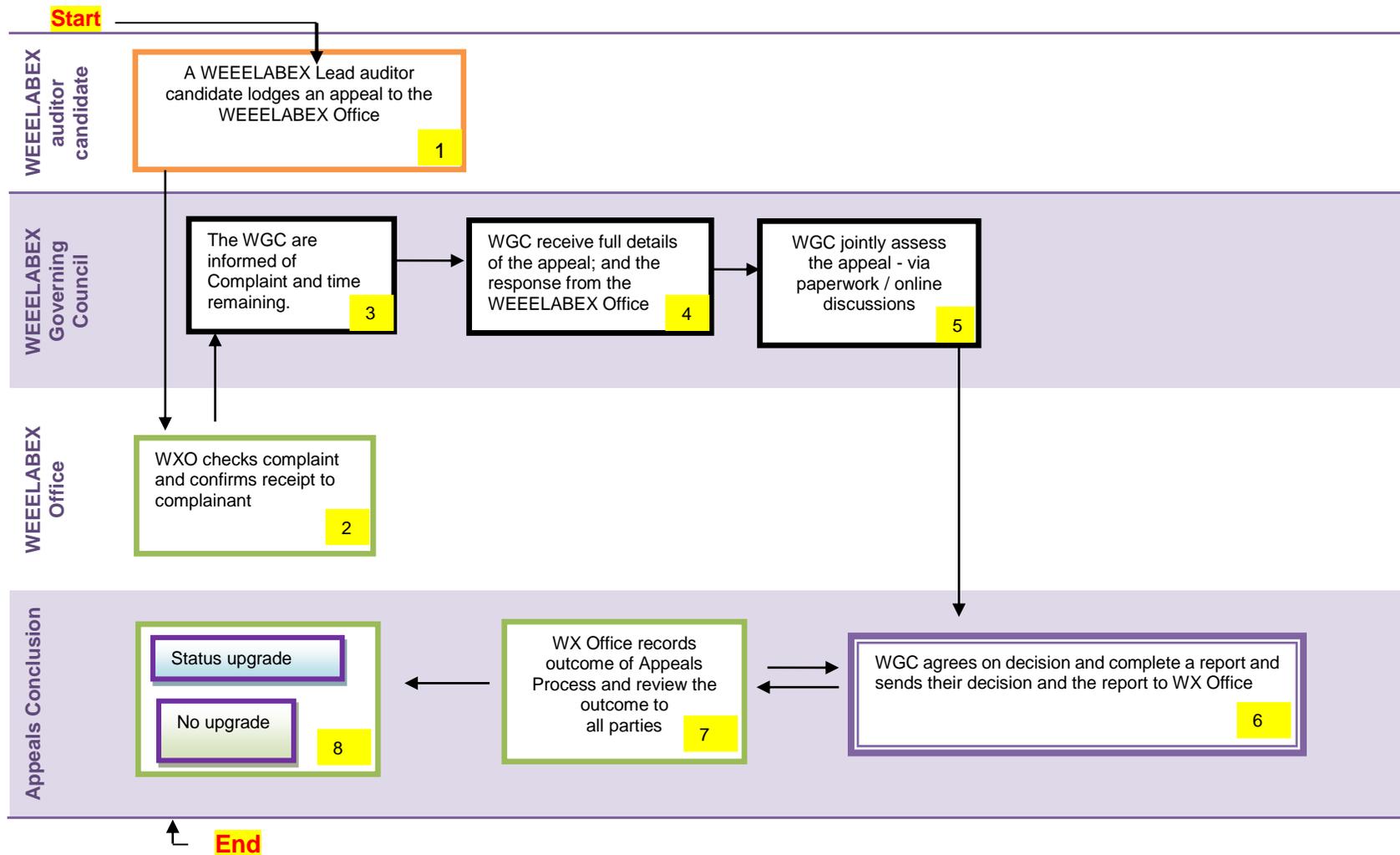


Figure 2. Appeals Process Flowchart - WEELABEX Auditors applying to become WEELABEX Lead Auditors

2.2.3. Grounds of appeal

The grounds of appeal are to be limited to the upgrade process of the candidate and may include, but are not limited to:

- the outcome of the WEEELABEX Office General Manager assessment on the candidate's application

2.2.4. Making an appeal

The complainant shall write to the WEEELABEX Office with the following details:

- complainant name and address; contact name; telephone number and email address;
- the date of the upgrade request and negative outcome
- the grounds of the appeal (details of the complaint being lodged).

2.2.5. Deadlines for making an appeal

An appeal must be lodged with the following time frames:

The appeal must be received by the WEEELABEX Organisation within 15 days of receipt of the negative decision.

Information about the availability of the appeal process and applicable deadlines shall be provided to all candidates before the evaluation.

2.2.6. Deadline for determining an appeal

An appeal shall be completed as soon as possible but no later than three months from the date it is received by the WEEELABEX Office.

The WEEELABEX Office shall be responsible for ensuring that all relevant parties are made aware of the deadline date when an appeal is received, and for monitoring and managing the process to ensure a timely delivery of the decision.

2.2.7. The steps of an appeal procedure

The following steps are in the same order of steps shown in *Figure 2. Appeals Process Flowchart - WEEELABEX Auditors applying to become WEEELABEX Lead Auditors*:

1. The complainant sends his appeal to the WEEELABEX Office with the information required in clause 2.2.4
2. The WEEELABEX Office shall check that the required details have been submitted correctly (e.g. confirming the details of decision to upgrade or not and that the application dates are correct).
 - a. If this is confirmed, the WEEELABEX Office will acknowledge receipt of the appeal, providing the date (which sets the deadline date for the appeal process) and reference number.
 - b. Should the details not be confirmed, then the WEEELABEX Office will contact the complainant to ascertain the correct facts, when the checks and acknowledgement will once again be performed within 5 working days of the correct details being received.

The WEEELABEX Office will ensure that the checks and acknowledgement are made within 5 working days.

3. The WEEELABEX Office shall then confirm with all parties the remaining time left for the investigation and decision making processes; and
4. The WEEELABEX Office will provide the WGC with:
 - a. The candidate's application form and appeal lodge,
 - b. The WEEELABEX Office General Manager Assessment documents.
 - c. Any other information that the WGC considered to be necessary to their investigation.

The WGC shall ensure that the information provided by the WEEELABEX Office is kept confidential and is not passed to any other party.

- a. If at any time a conflict of interest becomes known by any of the WGC members, they shall immediately inform all parties and shall return all documents received to the relevant party; and withdraw from the process.
 - b. A minimum group of 4 members should participate in the WGC meeting.
5. The WGC shall investigate the grounds of the appeal using the documents and information provided in order to determine whether or not the formal and/or material errors claimed by the complainant have unquestionably been made in the course of the assessment process.
 - a. If a member of the WGC is of the opinion that the information provided is insufficient, the WGC shall request the WX Office to ask the complainant for further information.
 - b. The complainant shall provide the requested information within the deadline given. Should the information not be provided in due course, the complaint will be considered not upheld. The WEEELABEX Office will inform of such to the complainant.
The WEEELABEX Office shall inform the complainant and WGC of the deadline to provide further information.

On reception of the information requested, the WGC shall make their conclusions to uphold or reject the Appeal and provide an Appeal Report to the WEEELABEX Office.

6. If a (negative or positive) decision can be concluded from the written information provided, then the WGC shall complete an Appeal Report and send their decision to the WEEELABEX Office.
7. The WEEELABEX Office will review the report and pass copies to all the relevant parties, who shall be required to keep all the said documents confidential and not pass them to any other party.

No details of the WGC or Appeal Report or other part of the appeal process shall be published by the WEEELABEX Office.

8. The decision by the WGC (confirmed by the WEEELABEX Office) shall be final and binding.

The WEEELABEX Office will either upgrade or not the (candidate) WEEELABEX Lead Auditor as appropriate.

2.3. WEEELABEX Auditors de-listed on decision of the WEEELABEX Organisation.

- 2.3.1. A (complainant) WEEELABEX Auditor, Specialist Auditor or Lead Auditor (hereinafter as WEEELABEX Auditor) may appeal against the outcome of a de-listing process.
- 2.3.2. Each WEEELABEX Auditor is subject to be de-listed by the WEEELABEX Office upon the instruction of the WEEELABEX Governing Council. Such a decision has to be motivated, objective and non-discriminatory.
- 2.3.3. The WEEELABEX Organisation may, at any time, withdraw the listing of a WEEELABEX Auditor if it is shown that the A 03 Auditor agreement conditions are not fulfilled. The WEEELABEX Office will coordinate the process of communication and appeal. The WEEELABEX Office will compile enough evidence and make it available to the WEEELABEX Governing Council for scrutiny and evaluation. The WGC will may require more evidence if necessary in order to reach an agreement.
- 2.3.4. Before deciding whether or not to de-list a WEEELABEX Auditor, the WEEELABEX Office shall inform the WEEELABEX Auditor, in writing by recorded delivery, of their intention to do so and the reason for the withdrawal. The de-listed WEEELABEX Auditor shall be informed of the existence of this appeal procedure in the communication.
- 2.3.5. The WEEELABEX Governing Council shall afford the WEEELABEX Auditor the opportunity to make an appeal in writing within 15 working days of the date of receipt, and shall consider such representation before deciding whether or not to withdraw the listing of the WEEELABEX Auditor.
- 2.3.6. A decision to de-list a WEEELABEX Auditor shall be notified in writing by recorded delivery. The WEEELABEX Governing Council may make the notice of de-listing public and the reason(s) why such as decision was made.
- 2.3.7. If an appeal is received by the WEEELABEX Organisation the appeals process flow chart described in the "Figure 2" shall be applied for reaching a conclusion on this appeal process.