



REGULATIONS COMPLAINT/APPRECIATION/OBJECTION/APPEAL

ECH-Groep

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At Energie Consult Holland B.V. we welcome all feedback that helps us improve our services.
If you would like to submit [Complaint/ appreciation/ objection or appeal](#), please use the Regulations that we have drawn up for this purpose.

This ensures a response in a correctly and timely manner.
Please download the regulations on our website.

All assignments are carried out in accordance with the provisions in the New Rules 2011 Legal relationship client-architect, engineer and consultant ([DNR 2011, first revised version July 2013](#)), filed with the District Court of Amsterdam under number 56/2013.

INTRODUCTION

At Energie Consult Holland B.V. (ECH-Groep) we welcome all feedback that helps us improve our services. These regulations have been drawn up by ECH-Groep to ensure that complaints, appreciation, objections, and appeals are dealt with correctly and in a timely manner.

The complaints procedure applies in respect of all activities carried out by ECH-Groep. The procedure for submitting an appreciation, appeal or objection is limited to activities carried out by ECH-Groep under accreditation.

These regulations in respect of a complaint, appreciation, objection, or appeal have been drawn up by ECH as a result from its obligations under the General Administrative Law Act [*Wet Algemeen Bestuursrecht*].

Where in these regulations the masculine form is used, this may also be read in the feminine form.

Where these regulations refer to interested parties, it is correct to conclude that interested parties are broadly defined. This not only refers to the paying client but also interested persons or parties who's interests are concerned by ECH-Groep's decision-making.

The Quality Manager uses an analysis of the complaints, appreciations, objections and appeals for ECH-Groep's management review.

The identity of the submitter will be kept confidential by ECH-Groep.

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1. COMPLAINT

A complaint is any expression of dissatisfaction of an interested party addressed to ECH.

1.1 Procedure for complaint

A complaint may be submitted to ECH-Groep verbally, by email or by letter, stating:

- Subject heading 'Complaint', you must address your written complaint to the management of ECH-Groep
- Name and contact details of the person submitting the complaint
- Reason for the complaint

It is desirable to include with this complaint your view of a possible solution.

1.2 Registration

All complaints are registered by ECH-Groep in the register of complaints/ appreciations/ objections/ appeals.

1.3 Complaint handling

The following points are taken into consideration when dealing with a complaint:

- ECH-Groep management is responsible for handling the complaint.
- You will receive an acknowledgement of receipt from ECH-Groep.
- If the complaint concerns a certificate holder, this holder will be informed within 4 weeks.
- Complaints are discussed in the regular work meeting of ECH-Groep. This meeting appoints a person to handle the complaint.
- The complaint shall not be handled by a complaint handler who has been involved in the conduct to which the complaint relates. If the complaint relates to conduct by ECH-Groep itself, ECH-Groep management will consider engaging an independent expert.
- The complaint handler will receive all available information and will deal with the complaint on this basis.
- The complaint handler investigates the cause and extent of the complaint. If necessary, the complaint handler will formulate any correction (rectification) and, if necessary, take corrective measures.
- All information used during the complaint handling is filed.
- The meeting monitors the progress of the complaint handling.

A complaint does not suspend the effect of a decision.

1.4 Feedback on a complaint

After approval by the Quality Manager, the complaint handler communicates the outcome to the complainant. This feedback is recorded in the relevant file. The complaint and how it was handled will be discussed at the next progress meeting.

2. APPRECIATION

An appreciation is a reaction from an interested party to ECH-Groep on the intention to arrive at a decision.

A decision is understood to mean:

The conditional or unconditional issue, suspension or revocation of a certificate applied for at/or issued by ECH-Groep.

Certificate is understood to mean both system, process, product and personal certification. Certificate is also understood to mean the Declarations of Conformity that are issued in the context of the Pressure Equipment Directive.

2.1 Procedure for an appreciation

An appreciation can be submitted to ECH -Groep by email or letter, stating:

- Subject matter 'Appreciation', you must address your appreciation to the ECH-Groep management.
- Name of person submitting the appreciation.
- Postal and/or email address.
- Indication of the certificate number to which the appreciation relates.
- Date of the letter with project number to which the appreciation relates.
- Reason for the appreciation.

2.2 Registration

All appreciations are registered by ECH in the register for complaints/appreciations/objections/appeals.

2.3 Handling of the appreciation

- The management appoints a person for handling the appreciation.
- The management is responsible for handling the appreciation.

2.4 Response to the appreciation

You will receive an acknowledgement of receipt from ECH-Groep.

2.5 Measures

The person responsible for handling the appreciation will carry out an analysis and, based on that analysis, decide whether the decision to refuse to issue the certificate, the intention to establish a major discrepancy, or the intention to suspend the certificate conditionally or unconditionally, requires adjustment. The decision on the appreciation will be taken within ten working days, starting from the date of the letter or email.

2.6 Third parties

As part of the handling of the appreciation, ECH-Groep can actively request an appreciation from parties who have not submitted the appreciation, but for whom the decision or any amendment of a decision may have an impact. The person responsible for handling the appreciation will consider whether this is necessary.

2.7 Written decision

ECH-Groep will send a written response to the appreciation, stating the outcome of the investigation and any measures to be taken. If the appreciation is not dealt with to your satisfaction, you can lodge an objection (see section 3).

3. OBJECTION

The procedure to be followed as a result of an ECH-Groep decision relating to declarations and certificates, including their suspension, revocation, and refusal.

This complaints procedure was drawn up by ECH-Groep as a result of its obligations under the General Administrative Law Act.

If an interested party does not agree with the adoption of a decision/ruling of ECH-Groep, an objection can be lodged. The term for lodging an objection is six weeks and starts on the date of the letter stating the adoption of the deviation, decision/ruling against which the objection is lodged.

3.1 Procedure for an objection

An objection may be lodged to ECH-Groep by email or by letter, stating:

- Subject heading 'Objection', you must address your objection to the ECH-Groep management.
- Name and contact details of the person lodging the objection.
- Date.
- If possible, state the number of the declaration or the certificate to which the objection relates.
- A description of the contested decision.
- The reason for the objection .

The objection does not suspend the effect of a decision.

3.2 Registration

All objections are registered by ECH-Groep in the register of complaints/appreciations/objections/appeals.

3.3 Handling of the objection

The following points are taken into consideration when dealing with an objection:

- You will receive an acknowledgement of receipt from ECH-Groep.
- The Quality Manager appoints a person to handle the objection.
- The Quality Manager is responsible for handling the objection.
- The objection must be declared 'admissible' or 'inadmissible' and is checked against the criteria set out in the General Administrative Law Act. Among other things, it will be assessed whether:
 - The objection was lodged in time.
 - The person lodging the objection is an interested party.
 - The notice of objection is complete. If the notice of objection is incomplete, the person lodging the objection will be requested to complete the notice of objection within 10 working days.
- **The objection can be declared inadmissible:**
 - If the deadline for lodging under the General Administrative Law Act is not met. *This does not apply if the person lodging the objection demonstrates that they had not reasonably been in default.*
 - If the minimum required information is not met when an interested party lodges the objection.
 - In other cases if no use is made of the opportunity offered by ECH-Groep to rectify omissions
 - If deadlines are not met and ECH-Groep has not been requested by the person lodging the objection in time to accept postponement.
- ECH-Groep provides the person lodging the objection an opportunity to be heard. In principle, the hearing should take place six weeks after it has been established that a hearing is in order. The hearing may be conducted by one or more experts appointed by ECH-Groep who will form the hearing committee. This person or these persons must not have been involved in the decision-making process or have any connection with the interested parties. The hearing shall take place at a time and place to be

determined by ECH-Groep. Additional information for the hearing may be submitted up to 10 working days before the hearing. A report will be made of the hearing. The report shall be attached to the decision on the objection. The hearing committee conducting the hearing will issue advice to the relevant Certification decision maker or Technical Manager of ECH-Groep.

The objection does not suspend the effect of the decision.

The notice of objection leads to a reconsideration of the decision against which it is directed.

3.4 Decision on objection

The decision on an objection is taken by the relevant Certification decision maker or Technical Manager within six weeks and, in the case of consultation with an advisory committee, within twelve weeks, calculated from the day after the date on which the period for lodging the objection has expired. This term can be extended by a maximum of six weeks, after which the decision will be made.

The decision on the objection shall be based on proper grounds, which shall be stated when the decision is published. If a hearing was not held, the grounds for not doing so shall also be stated.

The decision on the objection shall be published by sending or handing it over to the interested party and/or an authorised representative.

The decision on the objection will inform the person lodging the objection that an appeal procedure is possible.

4. APPEAL

If the person lodging the objection disagrees with the decision on the objection, there is an option of appeal.

The person lodging the objection can appeal against ECH-Groep's decision at the district court in their place of residence/region within 6 weeks after the date of the decision.

The appeal does not suspend the effect of the decision.

According to the General Administrative Law Act, a request for a preliminary injunction can be submitted to the president of the district court.

If an **interested party** does not agree with the confirmed written decision or refusal of ECH-Groep to make a decision, the interested party can also lodge a notice of appeal to the district court in their place of residence/region.

4.1 Registration

All appeals are registered by ECH-Groep in the register of complaints/ appreciations/ objections/ appeals.