



KENYA ACCREDITATION SERVICE

Document Title: **MANAGEMENT OF DISPUTES AND APPEALS**

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Approval and Authorization

Completion of the following signature blocks signifies the review and approval of this Document.

Name	Job Title / Role	Signature	Date
Authored by	ASSISTANT DIRECTOR-CERTIFICATION	<i>Approved</i>	03/07/2015
Checked by	ASSISTANT DIRECTOR-INSPECTION & VERIFICATION	<i>Approved</i>	03/07/2015
Approved by	DEPUTY DIRECTOR-TECHNICAL SERVICES	<i>Approved</i>	03/07/2015

Periodic Review Approval and Authorization

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1 OVERVIEW CONTENT

1.1 Process Overview

Once in a while disputes and appeals do occur and these need to be resolved effectively.

1.2 Purpose

This procedure outlines the process of handling disputes and appeals emanating from accredited organizations, those seeking accreditation and or the public in order to effectively resolve such issues in a timely manner.

1.3 Scope

This procedure covers disputes and the role KENAS plays in the appeals process considering that appeals will be directed to the Standards Tribunal for handling.

1.4 Role(s) and Responsibility

Role	Responsibility
MR	<ul style="list-style-type: none"> Has the principal responsibility of ensuring that this procedure is suitable for its intended purpose.
KENAS Management and the Accreditation Committee	<ul style="list-style-type: none"> Handle disputes arising from the activities at KENAS
Standards Tribunal	<ul style="list-style-type: none"> A Quasi-Judicial body that handle appeals arising from accreditation committee decisions.

2.0 DEFINITIONS/ ABBREVIATIONS

The table below defines new or changed terms that are included in or associated with this process.

Term	Definition
MR	Management Representative
ST	Standards Tribunal
CAB	Conformity Assessment Body
Dispute	Expression of dissatisfaction other than an appeal by any person or organization relating to the activities of KENAS.



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Appeal

Request by a CAB for reconsideration of any adverse decision made by KENAS related to its accreditation Status. An adverse decision made by KENAS may include:

- Refusal to accept an application
- Refusal to proceed with an assessment
- Changes in accreditation scope
- Decisions to deny, suspend or withdraw accreditation
- Any other action that affects the attainment of accreditation

3.0 PROCESS INSTRUCTIONS

3.1 Any disputes can be logged in at KENAS, once received it shall be logged in within the complaints register and the complaints process for investigation and effective resolution followed.

3.2 Any decision made by KENAS is appealable within 21 days to the ST.

3.3 The ST derives its judicial functions from article 169 of the constitution of Kenya 2010 and order 19 of the Kenya Accreditation Service order 2009, legal Notice No. 55, State Corporation Act Chapter 446 Laws of Kenya.

3.4 The contact details for the ST are as follows:

KIRDI Block D

South C, Nairobi

P.O. Box 44709-00100

Telephone +254-20-6003842, 6009440

Wireless +254-20-2388216/2393466

Ext 221/22

Email: standardstribunal@industrialization.go.ke

3.5 If an appeal is lodged in at KENAS and confirmed as such, the appellant shall be directed to the ST.



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3.6 Once an appeal is received by the ST, the ST shall follow its own rules in determination of the validity of appeal as well as its decision with respect to the appeal.

3.7 The ST shall keep records of the appeal as stipulated in the Laws of Kenya, any proceedings availed to KENAS and any records generated by KENAS with respect to the appeal shall be kept for a period of 10 years.

4.0 REFERENCE AND RELATED DOCUMENTS

Ref	Document Identifier	Document Title
1.	KENAS-QM-MAN-001	KENAS Quality Manual
2.	KENAS L.N. NO. 55 of 2009	Legal Notice establishing KENAS
3.	ISO/IEC 17011	Conformity Assessment-General requirements for accreditation bodies accrediting conformity assessment bodies

5.0 PROCEDURE TRAINING/AWARENESS

Staff performing one or more of the roles specified in this procedure and other new or revised procedures shall be made aware of its' existence. A period not more than one month shall be allocated between the issue date and effective date to facilitate such an awareness.

6.0 REVISION HISTORY

Date	Ver	Revised By	Reason For Revision
03/02/2012	01	AD-CERT.	Initial copy on the new numbering system Change of format from KENAS/OP/09
03/07/2015	02	ADC.	Amendment to accommodate the ST on handling of appeals.