

ITA's policy for maintenance of certification is based on our activities' applicable standards and requirements.

Scope – this procedure describes the policy and rules of ITA, its employees, local offices and agencies and their employees performing activities on behalf of ITA within the mutual contractual agreements (further on mentioned as “ITA”) regarding ensuring a unified, objective and transparent approach to receiving, reviewing and making decisions when receiving information, using requests to review an adverse decision or not managing IT activities in accordance with the requirements of the standard. Any appeal may generate in relation to ITA decisions or actions related to:

1. Maintaining certification – general
2. Surveillance activities
3. Recertification
4. Special audits
5. Suspension, withdrawal or reduction of the scope of certification

## 1. Appeals

ITA considers that, generally, appeals may be received against provided by ITA service. It is expected that mainly audited Organization may wish to appeal, but we assume that not-audited Organization/person may also appeal, including other users of the certification provided by ITA. It is our policy that all documented appeals are subject on evaluation and making decision, regardless of their source. ITA is responsible for all decisions at ALL levels of the appeal-handling process. Persons engaged in the appeal-handling process must be different from those who participated in the audit and made certification review and decision. It is our responsibility that submission, investigation and decision on appeals shall not result in any discriminatory actions against the Organization/person that appeals.

We make the difference between “appeal” and “complaint” and for the purposes of this procedure and for avoiding any doubts, we make the following definition for “appeal”.

Appeal – a request made to someone in authority to change a previous decision: (Cambridge dictionary, adjusted). Appeal may be made against the decision of certification decision made by ITA. There are limited grounds on which appeals can be made:

- a) There had been a material and significant administrative error in the information published on the certificate;
- b) The decision made by ITA is considered by the Organization wrong, using as reference for this evidence provided by the Organization during the audit and gathered by the auditor.

## 2. Complaints

ITA is aware that parties that rely on certification (audited Organizations) expect to have their complaints against provided by ITA service investigated and, if these are found to be valid, should have confidence that these complaints will be appropriately addressed and that a reasonable effort will be made by the certification body to resolve them. Effective responsiveness to complaints is an important means of protection for ITA, our clients and other users of certification against errors, omissions or unreasonable behavior. Confidence in certification activities is safeguarded when complaints are processed appropriately. An appropriate balance between the principles of openness and confidentiality, including responsiveness to complaints, is necessary in order to demonstrate integrity and credibility to all users of certification.

We make the difference between “appeal” and “complaint” and for the purposes of this procedure and for avoiding any doubts, we make the following definition for “appeal”.

Complaint – a statement that something is wrong or not satisfactory. Complaint may be made about any aspect of provided by ITA service, including complaint about behavior of a specific officer or auditor. The grounds for making a complaint are not limited as those for appeals, however, complaining Organization/person should clearly state his/her grounds for complaint when writing to ITA for a complaint.

### 3. Processing of appeals and complaints:

3.1. Appeals and complaints must be submitted by the appealing/ complaining party by post letter, fax letter or email, indicating the following data:

- Data of the party proposing the Complaint;
- subject of the complaint;
- brief description of the complaint;
- indication of subjects involved in;
- any subsequent requests;
- any proposals for resolution.

Complaints that do not contain the above information will not be processed.

3.2. Appeals and complaints against provided by ITA service will be managed by the following process for receive, evaluate and make decision on appeals:

#### 3.2.1. Complaints processing:

- 1) Upon receipt of the complaint, the Quality Manager of ITA (QM), once confirmed to the complainant the receipt of the same, analyzes and verifies the truthfulness of the complaint, identifying the causes, responsibilities and appropriate corrective actions, approved by Top Management.
- 2) The QM informs the complainant in written about the progress of the treatment, on the resolutions adopted and on the conclusions of the treatment process.
- 3) The maximum time for ITA's resolution on any complaint received shall not exceed 90 days of the date of officially received written complaint by the complainant.
- 4) ITA guarantees that the decisions resulting from the complaint are taken, reviewed and approved by people not previously involved in the subject of the complaint, if the complaint is the responsibility of the Technical Management, the approval of the treatment is finalized by the Top Management.

#### 3.2.2. Appeals processing:

- 1) Once the audit report has been received in written, the interested party can appeal to its content, specifying the reasons by registered letter with return receipt within 15 calendar days of receipt of the report.
- 2) In the appeal, the Organization must express the reasons for the appeal by producing any useful documentation.
- 3) Once the receipt is confirmed, ITA examines the appeal within 15 calendar days of the date of receipt.
- 4) ITA will appoint a Committee (whose members are in any case identified within the ITA staff) competent for the management of the appeal. If deemed necessary, the intervention of an independent expert is possible.
- 5) To guarantee the impartiality and independence of the Committee, the parties involved in the management and analysis of the appeal must not have participated in any way in the certification process or in any other form and / or modality in the activities covered by the appeal.
- 6) The Committee may hear the opinion of the Organization, the Technical Director, the Experts and other figures for any reason involved in the activities contested by the applicant.

- 7) ITA having completed the preliminary and decision-making phase, officially communicates to the proposer, by registered letter with return receipt, the decision taken by the Committee.
- 8) The Appeal is considered closed in case of silence on the part of the appellant within the following 7 calendar days of receipt of the result.
- 9) Any expense related to the appeal remains the responsibility of the Organization, except in cases of recognized validity.

#### 4. Litigation - Arbitration

Notwithstanding the legislative provisions, any dispute that may arise between ITA and the Organization in relation to the validity, interpretation and execution of the certification will be resolved by ritual arbitration according to the Rules of the Arbitration Chamber where the ITA has its operational headquarters and according to the rules of law regarding the merits of the dispute. The Arbitral Tribunal will consist of a single arbitrator appointed in accordance with this Procedure. In the event of a dispute, the plaintiff will file the request for arbitration also containing the request for the appointment of the arbitration by the Arbitration Chamber, sending the defendant by registered letter with return receipt copy of this application. The defendant must file the answer within 45 (forty-five) calendar days of receipt of the request for arbitration by the Secretary General, sending the plaintiff by registered letter with return receipt. copy of said memorandum. For any other briefs, the filing term must not be less than 45 (forty-five) calendar days from the filing of the previous brief or from the previous hearing.

The award must be issued within 180 (one hundred and eighty) calendar days from the date of formal acceptance of the appointment by the arbitrator, subject to any extensions granted in writing by both parties and without prejudice to the arbitrator's right to extend the term of office, up to a further 180 (one hundred and eighty) calendar days, in the hypothesis in which this is necessary for instructor needs. The working suspension of judicial terms will be applicable to the terms of the arbitration procedure. The award will be final, conclusive and binding for the parties, who will expressly renounce any appeal, so they undertake to respect its content by adapting to the provisions of said award immediately, and in any case no later than the essential term of 10 (ten) calendar days from the date on which the award will be communicated to them. Otherwise, the defaulting party will have to pay the other, as a penalty, a sum equal to € 100.00 (one hundred / 00 euros) for each day of delay.

#### 5. Disputes and competent court

Notwithstanding the legal regulations concerning the jurisdiction of the civil court, and in any case as an alternative to the arbitration referred to above, any dispute that may arise between ITA and the Organization, the only place of jurisdiction will be the one where ITA has its operational headquarters.

#### 6. Civil liability

ITA is not responsible for any loss or damage, sustained by anyone, and due to any act of omission or error, or caused in any way during the performance of the assessment, or other services related to the certification activity, with the exception of case of proven negligence on the part of ITA.