



Pages 1 to 11

PROCEDURE FOR COMPLAINTS AND APPEALS

11102

ISSUE 1

February 2005



Document Custodian: European Space Agency - see <https://spacecomponents.org>

LEGAL DISCLAIMER AND COPYRIGHT

European Space Agency, Copyright © 2005. All rights reserved.

The European Space Agency disclaims any liability or responsibility, to any person or entity, with respect to any loss or damage caused, or alleged to be caused, directly or indirectly by the use and application of this ESCC publication.

This publication, without the prior permission of the European Space Agency and provided that it is not used for a commercial purpose, may be:

- copied in whole, in any medium, without alteration or modification.
- copied in part, in any medium, provided that the ESCC document identification, comprising the ESCC symbol, document number and document issue, is removed.



DOCUMENTATION CHANGE NOTICE

(Refer to <https://spacecomponents.org> for ESCC DCR content)

DCR No.	CHANGE DESCRIPTION

TABLE OF CONTENTS

<u>1.</u>	<u>INTRODUCTION</u>	<u>5</u>
<u>2.</u>	<u>SCOPE</u>	<u>5</u>
2.1	Complaints	5
2.2	Appeals	5
2.3	Exclusions	5
<u>3.</u>	<u>DEFINITIONS AND ABBREVIATIONS</u>	<u>6</u>
3.1	Definitions	6
3.2	Abbreviations	6
<u>4.</u>	<u>RELATED DOCUMENTS</u>	<u>6</u>
4.1	Applicable Documents	6
4.2	Reference Documents	6
<u>5.</u>	<u>ROLES AND RESPONSIBILITIES</u>	<u>7</u>
5.1	SCSB	7
5.2	ESA	7
5.3	Executive and Executive Secretariat	7
5.4	ESCC Bodies	7
5.5	Participants and Users	7
<u>6.</u>	<u>PROCEDURE FOR COMPLAINTS</u>	<u>7</u>
6.1	Submission, Administration and Communication	7
6.2	Resolution	8
6.2.1	Complaint Affecting a Single ESCC Body	8
6.2.2	Complaint Crossing ESCC Organisational Boundaries	8
6.3	Appeal	9
<u>7.</u>	<u>PROCEDURE FOR APPEALS</u>	<u>9</u>
7.1	Submission, Administration and Communication	9
7.2	Resolution	9
7.2.1	Appeal Affecting a Single ESCC Body	9
7.2.2	Appeal Crossing ESCC Organisational Boundaries	10
7.2.3	Raising an Appeal to SCSB and Fresh Appeals	10
<u>8.</u>	<u>PUBLICATION AND CONFIDENTIALITY</u>	<u>10</u>
<u>9.</u>	<u>RECORDS AND REPORTING</u>	<u>11</u>
9.1	Records	11
9.2	Reports	11

1. INTRODUCTION

In the operation of the ESCC System, for both the harmonisation and executive tasks, circumstances may arise to cause dissatisfaction to a Participant. Additionally the services and products of the ESCC System may fall short of a User's expectations. If this arises, for whatever reason, and normal channels of communication have failed to resolve the dissatisfaction, a Participant or User has recourse to the complaints and appeals process.

This process is operated independently from other ESCC activities. The process includes a recourse to the Space Components Steering Board, the preeminent ESCC Body, for final decisions. This procedure provides the information to initiate and register a complaint or an appeal. It also defines the requirements for the processing and resolution of complaints and appeals once they are registered.

2. SCOPE

The scope of this procedure covers the following:

2.1 COMPLAINTS

Complaints with respect to shortcomings in:

- the conduct of business in the work of the SCSB, PSWG and CTB including the rules of procedure, decision making, timely output of documents and timely response to actions.
- the conduct of the ESCC Secretariat's tasks including the timely preparation and dissemination of agendas and minutes and the filing and maintenance of ESCC records.
- the conduct of any ESCC Executive activity including the supervision of qualifications and qualified sources, configuration management of the specification system and the timely provision of ESCC information through ESCIES and other means.

2.2 APPEALS

Appeals with respect to:

- any decision reached by an ESCC Body and communicated directly or indirectly to an affected party which the party considers should be reappraised.

2.3 EXCLUSIONS

This procedure may not be used under the circumstances excluded in ESCC Basic Specification No 23600.

3. DEFINITIONS AND ABBREVIATIONS

3.1 DEFINITIONS

Appeal	An appeal arises when a decision is deemed to be inappropriate by an affected party.
Appellant	Person or organisation lodging an appeal.
Complaint	A complaint arises when the performance of a task or activity is deemed to have been unsatisfactory by a Participant or by the User of the output of the task or activity.
Complainant	Person or organisation lodging a complaint.
Participant	Person or organisation participating in an ESCC activity, who, for the purposes of this procedure, finds the necessity to raise a complaint or appeal.
User	Person or organisation, making a bona fide use of the ESCC products or services, who, for the purposes of this procedure, finds the necessity to raise a complaint or appeal.

3.2 ABBREVIATIONS

The following abbreviations are used in this document:

ESA	European Space Agency
ESCC	European Space Components Coordination
ESCIES	European Space Components Information Exchange System
FAQ	Frequently Asked Questions
SCSB	Space Components Steering Board

4. RELATED DOCUMENTS

4.1 APPLICABLE DOCUMENTS

The following documents are applicable to the extent defined within this procedure.

ESCC 23600	Complaints and Appeals
------------	------------------------

4.2 REFERENCE DOCUMENTS

None.

5. ROLES AND RESPONSIBILITIES

5.1 SCSB

The SCSB is responsible for:

- Setting and maintaining the Complaints and Appeals procedure as set forth by this document.
- Responding to complaints and appeals which are registered against an activity or decision directly made within the SCSB.
- Making the final decision with respect to appeals raised to the level of the SCSB.

5.2 ESA

ESA, per an agreement with the SCSB, is responsible for the operation of the Complaints and Appeals procedure and for reporting its status at regular intervals to the SCSB.

5.3 EXECUTIVE AND EXECUTIVE SECRETARIAT

The Executive, largely through its Secretariat, is responsible for the receipt, processing and the filing of complaints and appeals. It is also responsible for filing the dispositions arrived at, communicating to complainants and appellants and reporting on the status of complaints and appeals to ESA.

5.4 ESCC BODIES

The ESCC Secretariat, CTB, PSWG and the Executive are responsible for responding to complaints and appeals which are registered against an activity or decision under their remit.

5.5 PARTICIPANTS AND USERS

Participants and Users are responsible for raising complaints and appeals only when due process has otherwise failed to remedy their dissatisfaction with the pertinent element of the ESCC System. They are also responsible for registering their complaint or appeal with appropriate supporting information and for supporting the resolution process.

6. PROCEDURE FOR COMPLAINTS

6.1 SUBMISSION, ADMINISTRATION AND COMMUNICATION

The procedures shall be as defined in ESCC Basic Specification No. 23600.

6.2 RESOLUTION

The procedure shall be as defined in ESCC Basic Specification No. 23600 as supplemented by the requirements herewith.

6.2.1 Complaint Affecting a Single ESCC Body

In accordance with Basic Specification No. 23600, the Executive Manager shall determine if a complaint only affects a single ESCC Body or if it crosses organisational boundaries. In the former case the Executive Manager shall instruct the Executive Secretariat to forward the complaint either to the Chair for SCSB, CTB or PSWG or to the Technical Secretary for the ESCC Secretariat whichever is applicable. If the complaint is against the Executive, the Executive Manager will retain the complaint.

The end recipient of the complaint (Chair, Technical Secretary, Executive Manager) shall acknowledge receipt in writing within five working days providing a time scale for an answer to the complaint. A full response to the complaint shall be provided to the Executive Secretariat within one calendar month. If this requirement cannot be met a justification shall be provided to the Executive Secretariat.

The Executive Manager shall review an answer to a complaint and shall:

- instruct the Executive Secretariat on the answer to be sent to the complainant.
- ensure that the answer is complete, negotiating with the end recipient of the complaint as necessary.
- ascertain that identified corrective actions have been completed.
- ensure that the complaint file is complete before closure of the complaint in the complaint log by the Executive Secretariat.

The Executive Manager shall advise ESA directly in cases where the resolution of a complaint does not proceed in accordance with the stipulated time scale or when the Executive Manager finds him/herself in dispute with the end recipient of the complaint over its resolution. ESA in its turn shall seek to resolve the difficulties and if this cannot be achieved within one calendar month it shall place the file before the SCSB for resolution. Under no circumstance shall a complaint take more than three calendar months to be resolved and closed without a notification to the SCSB.

6.2.2 Complaint Crossing ESCC Organisational Boundaries

In addition to the process for resolving a complaint affecting a single ESCC Body, the Executive Manager shall as alternatives:

- chair a group resolution of the complaint where the group comprises the appropriate Chairs or Technical Secretary and the Executive Manager.
- determine a primary end recipient for the complaint and request that he/she coordinates the response to the complaint with the other affected parties.

In all other respects the resolution shall be as for a complaint affecting a single ESCC Body.

6.3 APPEAL

A complainant who is dissatisfied with the resolution of a complaint may resort to a formal appeal as provided for in ESCC Basic Specification No. 23600.

7. PROCEDURE FOR APPEALS

7.1 SUBMISSION, ADMINISTRATION AND COMMUNICATION

The procedures shall be as defined in ESCC Basic Specification No. 23600.

7.2 RESOLUTION

The procedure shall be as defined in ESCC Basic Specification No. 23600 as supplemented by the requirements herewith.

7.2.1 Appeal Affecting a Single ESCC Body

In accordance with Basic Specification No. 23600, the Executive Manager shall determine if an appeal only affects a decision of a single ESCC Body or if the appealed decision crosses organisational boundaries. In the former case the Executive Manager shall instruct the Executive Secretariat to forward the appeal either to the Chair for SCSB, CTB or PSWG or to the Technical Secretary for the ESCC Secretariat whichever is applicable. If the appeal is against an Executive decision, the Executive Manager will retain the appeal.

The end recipient of the appeal (Chair, Technical Secretary, Executive Manager) shall acknowledge receipt in writing within five working days providing a time scale for an answer to the appeal. A full response to the appeal shall be provided to the Executive Secretariat within one calendar month. If this requirement cannot be met a justification shall be provided to the Executive Secretariat.

The Executive Manager shall review an answer to an appeal and shall:

- instruct the Executive Secretariat on the answer to be sent to the appellant.
- ensure that the answer is complete, in providing the decision and an explanation, negotiating with the end recipient of the appeal as necessary.
- ascertain that identified actions arising from any revised or new decision have been completed.
- ensure that the appeal file is complete before closure of the appeal in the appeal log by the Executive Secretariat.

The Executive Manager shall advise ESA directly in cases where the resolution of an appeal does not proceed in accordance with the stipulated time scale or when the Executive Manager finds him/herself in dispute with the end recipient of the appeal over its resolution. ESA in its turn shall seek to resolve the difficulties and if this cannot be achieved within one calendar month it shall place the file before the SCSB for resolution. Under no circumstance shall an appeal take more than three calendar months to be resolved and closed without a notification to the SCSB.

7.2.2 Appeal Crossing ESCC Organisational Boundaries

In general a decision made by the ESCC Secretariat, the CTB or the PSWG is under the auspices of the SCSB. Thus an appeal to a decision emanating from one of these subordinate bodies requires the agreement of the SCSB to any change in that decision. The Executive Manager shall decide when the circumstances require that an answer to an appeal shall be submitted to the SCSB for approval before it is sent to the appellant. This shall be based on:

- the nature of the appeal.
- whether the original decision is upheld or changed.
- whether the appellant is, or likely to be, satisfied with the answer or is likely to raise a rejected appeal to the level of the SCSB.
- the efficient use of resources in the Executive, the Executive Secretariat and the SCSB in resolving the appeal.

In general a decision made by the Executive is against established rules so are either correct or incorrect. Thus an appeal to a decision of the Executive should in the first instance be dealt with by the Executive and the response sent to the Appellant.

In addition to the process for resolving an appeal affecting a single ESCC Body, the Executive Manager shall as alternatives:

- chair a group resolution of the appeal where the group comprises the appropriate Chairs or Technical Secretary and the Executive Manager.
- determine a primary end recipient for the appeal and request that he/she coordinates the response to the appeal with the other affected parties.

In all other respects the resolution shall be as for an appeal affecting a single ESCC Body

7.2.3 Raising an Appeal to SCSB and Fresh Appeals

The procedures shall be as defined in ESCC Basic Specification No. 23600

8. PUBLICATION AND CONFIDENTIALITY

The formal complaint or appeal shall be published by the Executive publicly on the ESCC web site after receipt and registration. Subsequently the formal answer to the Complainant or Appellant shall be published by the Executive on the ESCC web site against the corresponding complaint or appeal. All other documents associated with the processing of the complaint or appeal shall be treated as confidential between the ESCC Members and Observers.

The published complaints and appeals shall be moved to a lower level folder by the Executive annually so that they are still accessible but effectively archived. Published complaints and appeals shall be removed after five years. The Executive shall monitor the complaints and appeals on line and derive and implement any pertinent information into a FAQ. This process shall be monitored by the SCSB who may issue directives to the Executive to augment the FAQ as necessary.

9. RECORDS AND REPORTING

9.1 RECORDS

The following records shall be maintained:

Record	Held By	Retention Period
Complaints log	Executive	Ongoing
Complaint file	Executive	5 Years
Appeals log	Executive	Ongoing
Appeal file	Executive	5 Years
ESA Complaints and Appeals reports to SCSB	Technical Secretary	Per SCSB Minutes (as annex)

9.2 REPORTS

The following reports are required by this procedure:

Report	From	To	Periodicity
Status report	ESA	SCSB	Each SCSB meeting
Annual report	ESA	SCSB	Annual