Procedure for Appeal Handling Process

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Revision details

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Prepared By Management Representative  

Approved By Michael Hofmann  

Signature  

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1.0 Purpose

The purpose of this procedure is to describe the process followed for dealing with appeals received from the certified client against the adverse decision taken by the Certification Body of EY PFS SOLUTIONS S.À R.L. with respect to the processing activity(ies) certification scope as per the GDPR-CARPA certification mechanism.

2.0 Scope

2.1 This procedure covers the process to receive, analyze, evaluate and make decisions on appeals received from clients against the adverse decisions taken by the Certification Body of EY PFS SOLUTIONS S.À R.L.

2.2 This procedure includes appeals by clients (it includes both clients who have applied for the GDPR-CARPA certification as well as the already certified client) against the adverse decision taken by the Certification Body of EY PFS SOLUTIONS S.À R.L. in respect of refusal to accept an application; refusal to proceed with an evaluation; changes in the scope of the GDPR-CARPA certification; decisions to close the application or denial of the GDPR-CARPA certification, decision on suspension, withdrawal of the GDPR-CARPA certification or reduction of scope, etc.

3.0 Responsibility

3.1 Impartiality and Quality Control Committee of the Certification Body of EY PFS SOLUTIONS S.À R.L. will be considered as Appeal Team/Body and having prime responsibility for appeal handling, analyzing, evaluating and taking decision on appeal.

3.2 The Chairman of the Impartiality and Quality Control Committee of the Certification Body of EY PFS SOLUTIONS S.À R.L. is responsible for giving its recommendations on the decision.

4.0 Description of activity

4.1 Impartiality and Quality Control Committee

4.1.1 The Impartiality and Quality Control Committee of the Certification Body of EY PFS SOLUTIONS S.À R.L. is an independent committee consisting of persons who are neither part of the evaluation team nor involved in the decision-making process on the GDPR-CARPA certification of the appellant/client.

4.2 Appeal receipt, handling, analyzing, evaluation, and decision process

4.2.1 Any client having an appeal can raise the appeal to the Chairman, Impartiality and Quality Control Committee of the Certification Body of EY PFS SOLUTIONS S.À R.L., in writing (by paper or e-mail) within 15 days after the decision communicated by the Certification Committee.

4.2.2 An acknowledgment will be sent to the appellant after logging the appeal to the appellant within 7 days with the appeal no. as per the appeal log. Alternatively, the appellant can go to the website of EY and can log the appeal online on the website of EY.

4.2.3 At any time during the review, the appellant may withdraw the appeal in writing (by paper or e-mail). However, if for any reason, an appeal is withdrawn, a future appeal on the same grounds will not be entertained.

4.2.4 On acceptance of the appeal, the Impartiality and Quality Control Committee of the Certification Body of EY PFS SOLUTIONS S.À R.L. may seek help from the independent evaluator (wherever required) in consultation with the Chairman of the Impartiality and Quality Control Committee.

4.2.5 An opportunity will be given to the appellant to present the appeal in person during the process of hearing of the appeal. However, the appellant may depute representative(s) from its staff only.
4.2.6 The representative from the Certification Committee involved in the adverse decision of the appellant may provide technical inputs but not be involved in the decision-making to make a fair decision on appeal.

4.2.7 Based on the evaluation of the appeal, the Impartiality and Quality Control Committee of the Certification Body of EY PFS SOLUTIONS S.À R.L. may seek clarifications and information from all appropriate sources. If considered necessary, the Committee shall ask the Certification Body of EY PFS SOLUTIONS S.À R.L. to depute its staff or assessor or evaluator to the client to investigate the matter.

4.2.8 Where available evaluation report / data is not sufficient to take a decision, the Impartiality and Quality Control Committee of the Certification Body of EY PFS SOLUTIONS S.À R.L. may recommend an onsite verification, which may be organized by the concerned Officer / the said Committee. It is ensured that the same Auditor / Evaluator who had assessed the client in the earlier evaluation or any person who was involved in the adverse decision will not be a part of the evaluation team. The appellant has to bear the expenses for an on-site visit, regardless of the outcome of the appeal.

4.2.9 Based on the data gathered through any of the above stated means, the Impartiality and Quality Control Committee of the Certification Body of EY PFS SOLUTIONS S.À R.L. makes the final recommendations within a 30 days after logging of appeal. The Chairman of the said Committee is the final authority for making a decision on the appeals.

4.2.10 Approval of decision on appeal by Chairman of the said Committee is considered as final and the client is informed accordingly. Impartiality and Quality Control Committee of the Certification Body of EY PFS SOLUTIONS S.À R.L. also informs the Certification Engagement Manager and Certification Committee regarding the outcome of the appeal.

4.2.11 Once the decision on appeal is made by the Impartiality and Quality Control Committee of the Certification Body of EY PFS SOLUTIONS S.À R.L., no further appeal in this regard will be entertained.

4.2.12 No discriminatory action would be taken against the appellant irrespective of the decision on appeal.

5.0 References Nil

6.0 Enclosures Nil

7.0 Formats / Exhibits

7.1 F/CSD/06 Appeal report