

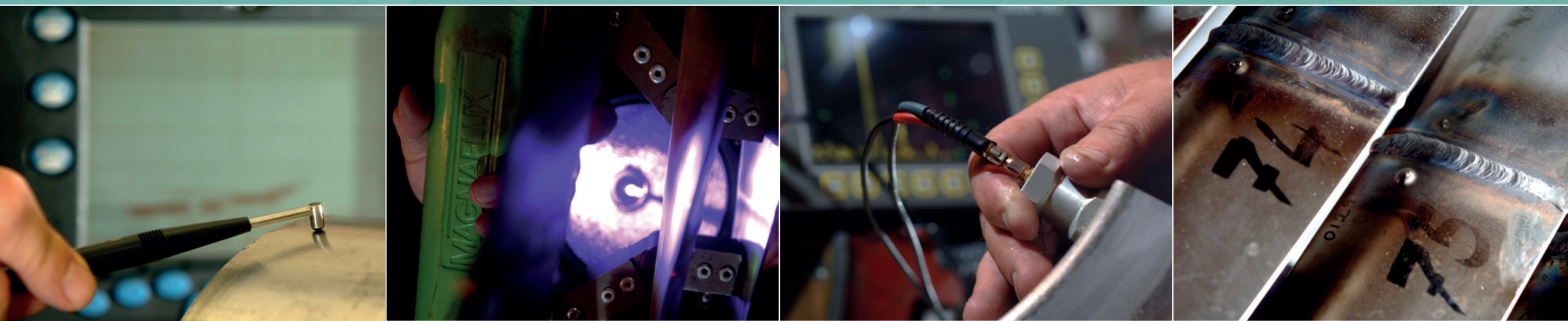
PCN24/CP21

Procedure for complaints, falsification, cheating and appeals

Issue 2 • March 2025



A division of



All complaints and/or appeals must be made in writing.

Please return this form by email or post to:

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Certification Services Department

The British Institute of Non-Destructive Testing

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“The integrity of your PCN certification is important to us, as it is to you. You have studied and worked hard to achieve PCN certification in NDT/CM that is globally recognised. Unfortunately, there is a very small but persistent minority that looks to undermine the value of the PCN certification scheme through fraudulent activities and, as such, PCN works tirelessly to identify these individuals that not only undermine the reputation of PCN certification but also yourselves, as NDT/CM practitioners; the vast majority who endeavour to apply NDT/CM methods with integrity and professionalism across all sectors of industry and aerospace. The Tables included outline the penalties that may be imposed on those who believe that they can flaunt the system for their own personal benefit at the expense of the vast professional majority.”

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The British Institute of Non-Destructive Testing is an accredited Certification Body offering personnel and quality management systems assessment and certification against criteria set out in international and European standards through the PCN Certification Scheme.

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1. Definitions

AQB – Authorised Qualifying Body

CEO – BINDT Chief Executive Officer

CM – CSD Certification Manager

CMC – Certification Management Committee

CSD – Certification Services Department

PCN – Personnel Certification in NDT

QO – BINDT Quality Officer

Appeal – For the purpose of this document, an Appeal is an appeal against PCN or the PCN administrative body, for failure to certify.

Category – Denotes the NDT method and associated NDT subgroup/technique, such as ultrasonic testing (UT) of welds, etc.

Cheating – Any person attempting to gain an unfair advantage by using any unauthorised electronic equipment or by any other means.

Complaint – For the purpose of this document, a Complaint is: a criticism of the PCN process; a criticism of the PCN administrative body; a criticism of a PCN AQB; or a criticism of a PCN certificate holder.

Falsification – To give the impression that requirements have been met.

Method – NDT/CM technology for which PCN certification is available.

2. Data collection forms

Because the information required may be different depending on whom the complaint is about, a number of data collection forms have been created to accommodate different circumstances:

Form 1: Complaints, cheating and falsification against a PCN certificate holder

Form 2: Complaints against a PCN AQB

Form 3: Complaints against the PCN administrative body

Form 4: Complaints against a PCN process

Form 5: Appeal against PCN or the PCN administrative body for failure to certify

3. Information for complainants or appellants

All complaints, cheating incidents, falsification or appeals must be made in writing, using the appropriate form attached (see above). Each complaint or appeal will be acknowledged, investigated and resolved. Verbal complaints will not be accepted.

Evidence from all parties concerned must be received within 14 working days of first contact by BINDT to ensure a timely outcome where possible.

If only one party submits, the outcome may be decided on this evidence.

Complaints, cheating incidents or falsification may be made by any individual (for example a PCN certificate holder, a certificate holder's employer or a client of an employer) against the PCN process, the PCN administration body, a PCN Authorised Qualifying Body (AQB) or a PCN Approved Training Organisation (ATO).

On receiving a complaint or an appeal, a BINDT Quality Officer will decide whether there is sufficient information to make a decision. In cases where there is insufficient information, the BINDT Quality Officer will correspond with all connected parties to gather more information and, where appropriate, will use one or more of the data collection forms attached in order to determine the facts.

Once the complaint or appeal has been considered and a decision has been made, the outcome will be corresponded to all interested parties where consent has been given (as determined by the BINDT Quality Officer or Certification Panel).

It is the aim that all complaints, cheating, falsifications and appeals are to be closed within 60 days of written receipt, dependent on volume of complaints/appeals relevant to the same case or the nature of the complaint/appeal. The 60 days are to ensure all necessary information is gathered before a decision is made.

4. Complaints investigated by a Certification Panel

The Constitution, Terms of Reference and Method of Working for the PCN Certification Panel are included as Appendix 1.

The BINDT Quality Officer will endeavour to deal with complaints and appeals without recourse to committee. Where this is not possible, or where the complainant or appellant requests, the matter will be put before a properly constituted Certification Panel.

A Certification Panel shall be convened by the Quality Officer, ensuring impartiality is taken into account, within 30 days of receipt of a complaint. All necessary information from all parties concerned will be made available to ensure the case can be fully assessed. A scheduled PCN Management Committee meeting could be used to facilitate such a meeting.

Note: *If an appeal or complaint is urgent, the Quality Officer has the authority to convene a Certification Panel as soon as the appropriate information is gathered.*

Decisions by the Certification Panel could include 'issuing a certificate subject to certain conditions', 're-sitting part of an examination', 'gaining more experience', 'additional surveillance' or any other measure that is seen to be fair and appropriate.

The Certification Panel shall take into consideration all of the material submitted when reaching a decision. Where the Certification Panel is able to reach a unanimous decision, the Quality Officer will implement the decision and submit a brief report of the circumstances and decision to the relevant parties where consent is given.

In all cases, outcomes will be reported to the Certification Management Committee (CMC).

The appellant can request a meeting either by Zoom or face-to-face with the Certification Panel, or the Certification Panel may request a Zoom or face-to-face meeting with any party involved with the complaint.

Where the Certification Panel cannot, for whatever reason, reach a decision, the matter will be referred to the Certification Management Committee, which shall either make a decision by a majority of 75% of attending voting members or, in exceptional circumstances (as determined by the CMC), BINDT Council.

When a Code of Ethics complaint about a PCN certificate holder who is also a member of BINDT is substantiated, the outcome of the investigation will be referred to BINDT Council.

5. Complaints regarding PCN

Published PCN documentation and local procedures are used to manage the certification process, complaints about individuals' use and interpretation of the PCN documentation and local procedures against the PCN administrative body or an AQB. The PCN published documents undergo a rigorous review and approval process; however, if a complaint is made and upheld regarding these documents, then the document in question will be referred to the Certification Management Committee (CMC) for review and recommendation.

In the event that a complaint against an AQB is **NOT** upheld, then subject to discussions with the AQB it may be a possibility to publish the outcome in *NDT News* in order to avoid an unwarranted impact on commercialisation; the AQB has the final say on whether to publish or not.

6. Appeals

Appeals may be made against a decision taken by PCN to not award a certificate, to withdraw or cancel a certificate, to not renew a certificate or to reduce the scope of a certificate.

If it transpires that the PCN administrative body has made a substandard decision to not award a certificate, reversal to original date or back date to original date will be granted.

Submission, investigation and the decision on appeals shall not result in any discriminatory actions against the appellant.

Depending on the outcome, the complainant or appellant will have 14 working days to appeal the decision. After the appeal against the decision has been considered and adjudicated upon, no further appeals will be allowed unless new evidence is forthcoming.

Appeal forms will not be accepted for any application for post experience (PCN34/PSL57C) where the application was submitted after the two-year deadline or where the application was incomplete at the two-year deadline.

APPENDIX 1 – PCN COMPLAINTS AND APPEALS PANEL

1 – CONSTITUTION

Chairperson: BINDT Quality Officer and/or Certification Manager.

Certification Panel members: a minimum of two individuals from the CMC who have not been directly involved, plus one other from BINDT senior staff.

Other attendees: individuals who have been involved in the complaint or appeal may attend meetings of the Certification Panel at the invitation of the Chairperson. Such persons shall not be considered a Certification Panel member or be involved in any decisions concerning certification.

No person having a direct interest in the complaint or appeal shall serve on the Certification Panel. One of the Certification Management Committee members will chair the meeting of the Certification Panel.

At least one member of the Certification Panel will have technical expertise relevant to the complaint or appeal.

2 – TERMS OF REFERENCE

The Certification Panel will be responsible to the CMC for assessing individual cases of complaint or appeal.

This form is for initiating a formal complaint, falsification or cheating incident against a PCN certificate holder, which could include, but not be limited to: incompetence, adherence to standards, procedures or instructions, Code of Ethics, falsification of test reports, confidentiality, employer confidentiality and reputation, PCN reputation and cheating.

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FORM 2

This form is for initiating a formal complaint against a PCN AQB, which could include, but not be limited to: examination conditions, examination content relevant to the qualification/category sought, examination content relevant to the training at the ATO, examination time, accommodation of special needs and invigilation process.

| | |
|--|---|
| Name of complainant: | Date of complaint: |
| | |
| Complainant's telephone number: | Complainant's email address: |
| | |
| Complainant's address: | |
| | |
| PCN number of complainant: | |
| | |
| <i>If you are making a complaint on behalf of an employer, please complete the shaded boxes:</i> | |
| Complainant's company/employer: | |
| Nature of company/employer business: | |
| Complainant's position in company: | |
| Name of AQB subject to complaint: | Is the complaint to do with an AQB's remote examination centre? <i>If yes, please state location:</i> |
| | |
| Address of AQB subject to complaint: | |
| | |
| Details of complaint: | |
| | |
| Signature of complainant: | Date: |
| | |

FORM 3

This form is for initiating a formal complaint against the PCN administrative body. This could include, but not be limited to: privacy and confidentiality of the applicant, response time or impartiality.

| | |
|---|------------------------------|
| Name of complainant: | Date of complaint: |
| | |
| Complainant's telephone number: | Complainant's email address: |
| | |
| Complainant's address: | |
| | |
| PCN number of complainant: | |
| | |
| <i>If you are making a complaint on behalf of an employer, please complete the shaded boxes:</i> | |
| Complainant's company/employer: | |
| Nature of company/employer business: | |
| Complainant's position in company: | |
| PCN number of complainant: | |
| <i>If you are making a complaint against an individual within the PCN administrative body, please answer the following:</i> | |
| Name of individual or the department the complaint is about: | |
| | |
| Details of complaint: | |
| | |
| Signature of complainant: | Date: |
| | |

FORM 4

This form is for initiating a formal complaint against a PCN process. This could include, but not be limited to: applications, application for scope extension and recognition of experience and/or prior learning.

| | |
|--|------------------------------|
| Name of complainant: | Date of complaint: |
| | |
| Complainant's telephone number: | Complainant's email address: |
| | |
| Complainant's address: | |
| | |
| PCN number of complainant: | |
| | |
| <i>If you are making a complaint on behalf of an employer, please complete the shaded boxes:</i> | |
| Complainant's company/employer: | |
| Nature of company/employer business: | |
| Complainant's position in company: | |
| PCN number of complainant: | |
| What specific process/processes are you complaining about (summary): | |
| | |
| Details of complaint: | |
| | |
| Signature of complainant: | Date: |
| | |

FORM 5

This form is for initiating a formal appeal against PCN or the PCN administrative body for failure to certify. This could include, but not be limited to: refused initial or recertification, refused renewal of certification or refused extension of scope.

Appeal forms will not be accepted for any application for post experience (PSL57c) where the application was submitted after the **two-year deadline** or where the application was incomplete at the two-year deadline.

| | |
|--|----------------------------|
| Name of appellant: | Date of appeal: |
| | |
| Appellant's telephone number: | Appellant's email address: |
| | |
| Appellant's address: | |
| | |
| <i>If you are making an appeal on behalf of an employer, please complete the shaded boxes:</i> | |
| Appellant's company/employer: | |
| Nature of company/employer business: | |
| Appellant's position in company: | |
| Name of individual the failure to certify affected if different from the appellant: | PCN number of individual: |
| | |
| Details of appeal: | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| Signature of appellant: | Date: |
| | |

ANNEX A – COMPLAINTS, CHEATING AND FALSIFICATION APPLIED PENALTIES

All suspensions and bans for life will be reported in *NDT News* and circulated to AQB's and ATOs.

Table 1 and Table 2 below outline the main and newer incidents received. Other incidents reported will be reviewed as and when they arise.

At the discretion of the Certification Body, certification may be suspended/withdrawn in those situations whereby the certification body deems it necessary that a certification suspension/withdrawal is appropriate. In all cases, the Certification Body shall specify the conditions for potential suspension/withdrawal and, where proven, may apply appropriate punitive measures, listed below in Table 1 and Table 2. Certification may also be suspended/withdrawn, at the discretion of the Certification Body, when verifiable evidence is received from the employer stating that the individual has become physically incapable of performing their duties.

Where BINDT has found it necessary to suspend certification of a member for a period of time owing to a breach of the PCN Code of Conduct, then it follows that Institute membership should be withdrawn for the same period. The PCN complaints and appeals procedure (CP21) states that when a Code of Conduct complaint about a PCN certificate holder who is also a member of BINDT is substantiated, the outcome of the investigation will be referred to BINDT Council.

Table 1

| Document/area | Incident | Penalty |
|--|--|---|
| PSL57C, PSL30 Post-experience application form | Falsifying signatures and/or experience hours | <ol style="list-style-type: none"> 1. A two-year suspension will be imposed, during which candidates will be barred from taking any other PCN certification examination(s) within the suspension period. 2. Practical industrial experience hours accrued within the two-year suspension period will not be accepted. 3. Candidates will be required to attempt an initial examination upon expiration of the two-year suspension. 4. The accrual of practical industrial experience may recommence after the suspension has expired. 5. Removal of other certifications. <p>NOTE: All persons who knowingly provide false attestation signatures on a PCN application (this may include the candidate or the candidate's supervisor/verifier) will be subject to a penalty. Penalties may include the removal of certification for all persons providing false signatures and/or false attestation, for a minimum period of 12 months.</p> |
| CP16 Renewal of application by paperwork | Falsifying signatures | <ol style="list-style-type: none"> 1. A minimum 12-month suspension will be imposed. 2. The candidate's current supplied application will be cancelled by PCN. 3. The candidate will be returned to initial candidate status and will be required to be successful in an initial PCN examination. 4. The PCN examination may be attempted after the suspension has expired; they shall submit to PCN evidence of a correctly completed PSL30 for verification prior to attempting the relevant PCN examination. 5. Possible removal of other certifications. <p>NOTE: All persons who knowingly provide false attestation signatures on a PCN application (this may include the candidate or the candidate's supervisor/verifier) will be subject to penalty. Penalties may include the removal of certification for all persons providing false signatures and/or false attestation, for a minimum period of 12 months.</p> |

| | | |
|------------------------|--|---|
| AQB | Cheating in an examination | <ol style="list-style-type: none"> 1. A minimum 12-month suspension will be imposed and the ability to apply for and take part in PCN examinations shall be revoked. Suspensions may be extended, ie up to five years, depending on severity. 2. At the discretion of the Certification Body, other PCN certification may be removed for up to a five-year duration. 3. A ban for life may be imposed. <p>NOTE: Where a candidate decides to leave the AQB's premises after being found cheating, or having had an accusation of cheating or performing another form of malpractice levied against them, without first having had consultation with the AQB and obtaining the AQB's permission to leave the premises, this may be deemed an admission of guilt. This is to ensure there is sufficient opportunity to gather all available evidence at the time of the alleged incident.</p> |
| Global | Certificate falsification | <ol style="list-style-type: none"> 1. A five-year suspension. 2. Removal of other certifications. 3. A ban for life. |
| Global | Offensive language, abuse or other intimidating actions towards BINDT staff, either verbally, via email or through social media platforms | Possible 12-month suspension, dependent on incident. |
| Global | Lack of integrity when undertaking NDT inspection activities, such as: <ol style="list-style-type: none"> 1. Falsification of NDT reports, radiographs, photographs, digital datasets or any other reporting medium. 2. Carrying out NDT activities without appropriate approvals. 3. Allowing personal certification to be used by third parties. 4. Any other failure to comply with the BINDT Code of Ethics. | <ol style="list-style-type: none"> 1. A suspension of one year to five year(s) of all PCN examinations. 2. A lifetime ban on the ability of the candidate to hold PCN certification at the discretion of the certification body may be applied and all other PCN certifications removed. 3. Suspension of BINDT membership. 4. BINDT may report matters to the appropriate professional institution allied to the industry sector and/or the police. |
| PCN certificate holder | Issue relating to technical competence or an issue relating to the Code of Conduct. | For any issues relating to technical competence, penalties will only be applied to the method in question. However, within the method, BINDT may apply the penalties to one or more categories. The penalties could include: <ol style="list-style-type: none"> 1. Immediate re-training and re-examination of the category. 2. Loss of category and/or method certification for a minimum of 12 months, then re-training and re-examination. |

Table 2. AQB/ATO penalties

| |
|--|
| <i>If a complaint is upheld, one or more of the below may apply. All complaints will be referred to a Certification Panel.</i> |
| Letter from the CEO or Certification Manager pointing out the error of ATO/AQB's ways and demanding better future performance |
| An AQB/ATO may be required to re-train and re-examine an individual at its own expense (or part thereof) |
| Immediate audit of AQB/ATO |
| Temporarily suspending operations of AQB/ATO |
| Withdraw approval |

7. Change control record

| PCN24/CP21 – Document issue and review status | | |
|---|--|--|
| Document issue for review | Changes/amendments | Current document status |
| Issue 01 | New document to meet PCN24/GEN and BS EN ISO 9712:2022 requirements. | PCN24/CP21. Issue 01. Issue date: 1 July 2024. |
| Issue 02 | Update to penalty Table 1. | PCN24/CP21. Issue 02. Issue date: 25 March 2025. |

