

POLICY

This procedure defines how an interested party can present an argument for reversal of a decision with which it disagrees, or to resolve a complaint. This procedure ensure a process whereby either party can receive a fair and equitable handling of complaints, disputes and a process by which either party can appeal decisions made by either party. It is Carbon Check's policy, in the interests of the Parties that, wherever possible, disputes are avoided and/or their effects mitigated.

1. PURPOSE

To ensure a process whereby either party can receive a fair and equitable handling of complaints, disputes and a process by which either party can appeal decisions made by either party.

In this procedure, the following terms and expressions shall have the meanings set out below.

Appeals: A client organization’s request for a review by an independent appeal panel of various decisions taken by a DOE/V & V B in respect of validation and/or verification/ certification functions(

Complaints: Formal (written) and/or informal (verbal) expressions of dissatisfaction regarding the performance of a DOE /V & V B, from any source, such as the client’s organization, the general public or its representatives, government bodies, NGOs, etc. (specifc to CDM)

Disputes: Disagreement between a DOE/V & V B and the project participant regarding the DOE’s recommendation and/or opinions/decisions made at various stages during the validation and/or verification/certification functions.

2. SCOPE

This process applies to receiving, evaluating, investigating, managing, taking the necessary corrective action and making decisions on, disputes, appeals and complaints. It applies to all Carbon Checks staff and management and to all organizations doing business with Carbon Check in the context of Carbon Check’s validation/verification and or certification activities.

It applies to disputes, appeals and complaints relating to project participants received by Carbon Check as relating to validation/verification and or certification activities.

This process applies to:

1. Appeal Panel
2. Disputes
3. Appeals
4. Complaints

3. PROCESS OWNER / OVERALL RESPONSIBILITY AND AUTHORITY

The CEO has overall responsibility and authority for ensuring that this procedure is implemented.

4. PROCESS / PROCEDURE

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4.1 Process Inputs

Inputs	Source	Acceptance Criteria
Dispute, appeal or complaint	Client or Carbon Check or UNFCCC	Must be related to Carbon Check services

4.2 Process Outputs

Outputs	Destination/s	Acceptance Criteria
Resolved dispute, appeal or complaint	Complainant	Resolved

4.3 Process/Procedure Steps

Step	Activity	Responsibility & Authority
1	Disputes Handling Procedure	
1.1	Receiving and logging disputes <ul style="list-style-type: none"> - Log any dispute received using the Action Form process (Proc 1.1 and FM 1.2 and FM 1.3) - Refer the dispute to the CEO - Send an acknowledgement of receipt of the dispute to the complainant. Note: Disputes may be received from any source and all need to be evaluated for validity as per the procedures below.	Quality Manager
1.2	Evaluate the dispute <ul style="list-style-type: none"> - Obtain the pertinent information from interested parties. - Review the details of the dispute, and if necessary liaise with the disputing party/ies to gather additional information. - Verify the information provided. - Evaluate the dispute to establish whether it is valid. - If it is not valid: communicate the outcome and justification to the disputing party/ies, and close the Action Form off. If it is valid – continue Criteria for Validity of Disputes Disputes shall be considered valid: <ul style="list-style-type: none"> o If it relates to any matter or issue in dispute between the parties arising out of or connected with the contract/letter of engagement (FM 4.3), its existence, implementation, performance, interpretation or termination and includes any dispute as to any opinion, instruction, determination, certification or valuation of Carbon Check. o If it relates to a disagreement or argument between a Carbon Check client and Carbon Check about a decision Carbon Check or Carbon Check’s client has made relating to the object of validation or verification. 	CEO and/or Quality Manager

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Step	Activity	Responsibility & Authority
	<ul style="list-style-type: none"> ○ If the information provided is successfully verified and found to support the dispute. <p>Disputes shall be considered invalid:</p> <ul style="list-style-type: none"> ○ If the above criteria are not met. ○ If Carbon Check was acting in a manner necessary to fulfil the CDM requirements and the decision was justified. <p>Note: Personnel, including management, should not be employed to investigate any dispute if they have been directly involved in the dispute. Ensuring that the persons engaged in the dispute handling process are different from those who carried out the validation or verification/certification activities.</p>	
1.3	<p>Deal with disputes</p> <ul style="list-style-type: none"> - Investigate the dispute. Carry out an investigation of the valid dispute to determine the root cause where possible and to decide on appropriate actions. - Decide on what actions are to be taken in response to the dispute. Log the planned actions, with target dates on the Action Form. - Ensure the actions logged are implemented and their success tracked, as below. Ensure all disputes are dealt with in a constructive and timely manner. - Safeguarding the confidentiality of the disputes and subject of the disputes. This process should be subject to requirements for confidentiality, as it relates to the disputes and to the subject of the disputes; - Communicate the decision to the CEO and the disputing party/ies 	CEO or appointed personnel
1.4	<p>Tracking and Recording Disputes</p> <ul style="list-style-type: none"> - Ensure the dispute progress is captured onto the Action Form and maintain the Action Form register. - Follow up any overdue actions with the CEO. - Give feedback/progress to the disputing party/ies where feasible - Ensure the information related to the dispute and the disputing party/ies is maintained confidentially 	Quality Manager
1.5	<p>Dispute Outcome</p> <ul style="list-style-type: none"> - On completion of the investigation and actions as identified above, inform the disputing party/ies of the outcome of the investigation and the final notice of the end of the disputes handling process. - Maintain a record of disputes. 	Quality Manager
2	Appeals Handling Procedure	
2.1	<p>If any entity wishes to appeal the dispute decision, it must submit a formal written appeal.</p> <p>Once the appeal is received, Carbon Check initiates steps necessary to appoint the Appeal Panel comprised of at least three members . The persons engaged in the appeal process differ from those who conducted the validation or verification/certification, including the technical review and final decision-making</p> <p>Refer to the Carbon Check Appeal Panel Terms of Reference (FM 8.1)</p>	CEO and/or Quality Manager
2.2	The appeals process must ensure that:	Appeal Panel

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Step	Activity	Responsibility & Authority
	<ul style="list-style-type: none"> - An independent appeal panel is responsible for the appeals process - the persons engaged in the appeals process differ from those who carried out the validation, verification or certification activities - the submission, investigation and decision on appeals do not result in any discriminatory actions against the appellant - Tracking and recording appeals, including actions undertaken to resolve them - if the investigation points towards a non-conformance, then appropriate correction and corrective action are taken to eliminate the gaps in the system - Safeguarding the confidentiality of appellants and the subjects of the appeal. - Providing the progress on appeal investigation and handling to the appellant and providing information/notice on final decision - Ensuring that the final decision shall be made by the independent appeal panel - shall make publicly available a description of the appeals-handling process upon request, - shall be responsible for all decisions at all levels of the appeals-handling process, - Ensuring that, if the investigation points towards a non-conformity, appropriate corrections and corrective actions are taken to eliminate the gaps in the system, especially if the investigation points towards any gaps in the system and should be registered in Action Form register. 	
2.3	The decision of the Independent Appeal Panel is forever binding in the matter under appeal.	All
2.4	Should the appellant still be dissatisfied after having gone through the appeal process as described above, then Carbon Check is compelled to advise the appellant of the option to complain to the Board.	CEO
3	Complaints Handling Procedure	
3.1	<p>Receiving and logging complaints</p> <ul style="list-style-type: none"> - Log any complaint received using the Action Form process (Proc 1.1 and FM 1.2 and FM 1.3) - Refer the complaint to the CEO, - Ensure that those who handle the complaint are different to those who carried out the validation or verification. - Send an acknowledgement of receipt of the complaint to the complainant. <p>Note: Complaints may be received from any source and all need to be evaluated for validity as per the procedures below.</p>	Quality Manager
3.2	<p>Evaluate the complaint</p> <ul style="list-style-type: none"> - Review the details of the complaint, and if necessary liaise with the complainant to gather additional information. - Evaluate the complaint to establish whether it is valid. - If it is not valid: communicate the outcome and justification to the complainant, and close the Action Form off. <p>If it is valid – continue</p> <p>Criteria for Validity of Complaints</p> <p>Complaints shall be considered valid:</p>	CEO and/or Quality Manager

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	<ul style="list-style-type: none"> ○ If the complaint relates to validation or verifications carried out by Carbon Check ○ If the complaint relates to actions carried out or caused by Carbon Check ○ If these actions are contrary to the requirements related to validations and verification as defined by the UNFCCC, CDM, legislative requirements and/or the Carbon Check manual and procedures. <p>Complaints shall be considered invalid:</p> <ul style="list-style-type: none"> ○ If the above criteria are not met ○ If Carbon Check was acting in a manner necessary to fulfil the requirements listed above 	
3.3	<p>Investigate the Complaints and take action</p> <ul style="list-style-type: none"> - Carry out an investigation of the valid complaints to determine the root cause where possible and to decide on appropriate actions. - Log the planned actions, with target dates on the Action Form. - Ensure the actions logged are implemented and their success tracked, as below. 	CEO or appointed personnel
3.4	<p>Tracking and Recording Complaints</p> <ul style="list-style-type: none"> - Ensure the complaint progress is captured onto the Action Form and maintain the Action Form register. - Follow up any overdue actions with the CEO. - Give feedback/progress to the complainant where feasible - Ensure the information related to the complaint and complainant is maintained confidentially 	Quality Manager
3.5	<p>Complaint Outcome</p> <ul style="list-style-type: none"> - On completion of the investigation and actions as identified above, inform the complainant of the outcome of the investigation and the final notice of the end of the complaint. - Maintain a record of complaints 	Quality Manager
4	General	
4.1	<p>Management Review</p> <ul style="list-style-type: none"> - Include disputes, appeals and complaints in the Management Review, as per FM1.12 	CEO
4.2	<p>Publication of the Complaints, Disputes and Appeals Procedures</p> <ul style="list-style-type: none"> - Ensure Carbon Check makes all interested parties aware, as and when appropriate, of the existence of the appeals/dispute process and the procedures to be followed. - Publish these on the Carbon Check website, as per Proc 1.5 	CEO and Compliance Officer
4.3	<p>Pending judicial processes</p> <ul style="list-style-type: none"> - Ensure that any pending judicial processes are logged onto the Register of Pending Judicial Processes (FM 1.13). - Report any cases where the matter is incompatible with Carbon Check's functions as a DOE to the UNFCCC Secretariat. 	CEO with Compliance Officer

5. PROCESS METRICS

Measure	Responsibility	Frequency	Use of the data	Target
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Measure	Responsibility	Frequency	Use of the data	Target
No. of disputes, appeals and complaints	Quality Manager	Annual	To manage trends in the nature of disputes, appeals and complaints.	Not more than one per year that are attributable to Carbon Check actions.
Reasons for disputes, appeals and complaints	Quality Manager	Annual	To manage trends in the nature of disputes, appeals and complaints reduce repetitive causes.	No target, but monitor trends to reduce repetitive causes.

6. REFERENCES & ASSOCIATED DOCUMENTS/SOFTWARE

6.1 Documentation References

Procedure: Action/Problem Management	Proc 1.1
Procedure: Legal requirements management	Proc 1.4
Procedure: Impartiality management process	Proc 6.0
Form: Action Form Register	FM 1.2
Form: Action Form	FM 1.3
Form: Management Review Agenda	FM 1.12
Form: Register of pending judicial processes	FM 1.13
Form: Carbon Check Appeal Panel Terms of Reference	FM 8.1

Records Table

Record type/group	Responsibility	Access control/Confidentiality	Minimum retention period	Disposal method
Records of disputes, appeals and complaints and related correspondence and records	Quality Manager	Confidential	For ever	N/A
Register of Judicial Processes, and all associated records	Compliance Officer	As per Proc 1.4		

7. Revision History

Rev Date	Rev. No.	Brief Details of Changes
Aug 2009	0	New document
Jan 2010	1	Amended definitions under 1. Clarified complaints under 4.1 Added flow diag to clarify the process under 4.2 Added reference to Proc 6.0
April 2012	2	Added references to FM 8. Carbon Check Disputes Panel Terms of Reference and Procedures as well as FM 6.2 Impartiality Panel Terms of Reference and Procedures

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		Taken out reference to FM 1.11 Carbon Check Impartiality & Disputes Panel Terms of Reference and Procedures
June 2012	3	Align to Accreditation Standard Version 4
July 2012	4	Updating of responsibility and authority
Sept 2012	5	Change responsibility from CEO to Executive director
May 2013	6	Inclusion and Clarification of ISO 14065 requirements
Nov 2014	7	Reason of changes: <ul style="list-style-type: none"> • Transfer of Accreditation from Carbon Check (Pty) Ltd to Carbon Check (india) Private Lt • Implementaion of Accreditation Standard version 06.0 • Removal of ANSI (ISO 14065) requirements from the document.
January 2016	8	Revision in response of NC 1 of regular on site Surveillance.

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