
Title: **CORPORATE COMPLAINT, APPEAL AND DISPUTE
INVESTIGATION PROCEDURE**

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1 Definitions

- 1.1 Appeal. A request by a certificate holder, verification/validation statement recipient, or applicant for formal reconsideration of any adverse decision made by SCS related to its desired status, to be resolved by SCS.
- 1.2 Complaint. A written expression of dissatisfaction, other than appeal, by any person or organization, relating to the activities of staff of SCS and/or representatives of a company or entity holding a certificate or verification/validation statement issued by SCS, where a response from SCS is expected.
- 1.3 Dispute. A complaint that cannot be satisfactorily resolved by SCS, such that the complainant raises the matter with an external body — i.e., the Program owner (e.g., Forest Stewardship Council), or if there is no external Program owner, a dispute panel named by the SCS Advisory Board.

2 Availability/Standing

- 2.1 The SCS Corporate Complaint, Appeal and Dispute Investigation Procedure is available to SCS certificate holders, verification/validation statement recipients, applicants, and third-party individuals or organizations who perceive a stake in the affairs of SCS and who have reason to question either the actions of SCS itself or the actions of an SCS certificate holder in regards to conformance with accreditation or program requirements. The procedure is applicable to any formal decision rendered under an SCS Program (e.g., award or denial of certification, withdrawal or suspension of certification) or actions taken by a certificate holder or verification/validation statement recipient, where such actions are believed to conflict with the terms and/or conditions of certification, verification or validation.
- 2.2 In the case of complaints against the actions of an SCS client, the complainant must first attempt to resolve the issue with that SCS client prior to requesting that SCS become involved, pursuant to this procedure. Examples include, but are not limited to:
- Objecting to the fact that SCS has awarded a certificate;
 - Assertions that a certificate holder is taking actions that conflict with the terms and conditions of its certification, such as non-conformance with the respective Program requirements.
- 2.3 In the case of appeals, the appellant may formally lodge its appeal with SCS against any adverse decision taken by SCS, within thirty (30) days after notification of the decision. Adverse decisions include, but are not limited to:
- Refusal to accept an application;
 - Refusal to proceed with an assessment;
 - Status of non-conformity reports (NCRs) or correction action requests (CARs);
 - Changes in accreditation scope;
 - Decisions to deny, suspend or withdraw accreditation; and
 - Any other action that impedes the attainment of certification.

3 Complaint/Appeal Content Requirements

- 3.1 To have standing under this Procedure, the written complaint/appeal must:

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- Identify and provide contact information for the complainant/appellant;
- Clearly identify the aggrieved action or basis of the appeal (date, place, nature of action) and which parties or individuals are associated with the action;
- Explain how the action is alleged to violate or be inconsistent with a requirement, being as specific as possible with respect to the applicable requirements;
- In the case of complaints against the actions of an SCS client, rather than SCS itself, the complainant must also describe efforts taken to resolve the matter directly with that party; and
- Propose what actions would, in the opinion of the complainant/appellant, rectify the matter.

3.2 Written complaints/appeals should be submitted to:

Complaint Department
Scientific Certification Systems
2200 Powell Street, Suite 725
Emeryville, California, USA 94608
Email: complaint@scscertified.com

4 Complaint/Appeal Investigation Procedure

4.1 Upon receipt of a written complaint or appeal, the SCS Quality Assurance Director/Manager or his/her designee will undertake the following actions:

- Open a complaint/appeal file in which all materials and correspondence associated with the complaint/appeal will be maintained.
- Acknowledge receipt of the complaint/appeal **within 5 business days**, informing the complainant/appellant that its complaint/appeal is being reviewed and that it will be kept informed of progress;
- Provide a written response to the complainant/appellant **within 4-weeks of receipt** of the complaint/appeal, informing complainant/appellant as to whether or not the complaint/appeal qualifies for investigation under this procedure, and outlining the investigation process and the recourse available to the complainant/appellant;
- Select an individual to investigate the complaint/appeal who is independent of:
 - the certification evaluation at issue; and
 - the associated certification decision

4.2 The assigned investigator will undertake the following tasks:

- Inform the complainant/appellant, and relevant certificate holder (where applicable), of this assignment.
- Solicit and collect any additional information necessary to investigate the complaint/appeal. The investigation will be based primarily upon written documentary evidence supplied by the complainant/appellant. It is the complainant's /appellant's burden to establish that there has been an action taken in contravention of a requirement. Typically, the investigator will augment the documentary evidence submitted by the complainant/appellant with telephone and email interviews. The investigator, if authorized by the SCS Quality Assurance Director/Manager, may elect to conduct a field inspection to augment the documentary evidence.

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- Prepare a written report in which the inspector's findings and recommendations are presented. Under normal circumstances, the report will be completed **within 120 days of receipt** of the written complaint/appeal.
 - Submit the report to the SCS Quality Assurance Director/Manager.
- 4.3 The SCS Quality Assurance Director/Manager will then:
- Forward the report to other members of the SCS Senior Management and/or the SCS Advisory Board for review and consultation if appropriate.
 - Render a decision as to the proposed disposition of the complaint/appeal, including actions such as:
 - o Denial of the complaint/appeal;
 - o Reversal of the action that is the focus of the complaint/appeal; or
 - o Issuance of non-conformity reports (NCR), corrective action requests (CAR) and/or recommendations aimed at rectifying the situation.
 - Inform in writing the complainant/appellant and other relevant parties (e.g., certificate holder, relevant external parties) of the disposition of the complaint/appeal, and where appropriate, provide the report or a summary thereof to all parties along with the final decision.
- 4.4 Final disposition of the complaint/appeal, and written confirmation thereof, will generally take place **within 30 days of receipt** of the report.
- 5 Closing the Complaint/Appeal**
- 5.1 If the complainant/appellant accepts the proposed decision or action, then the decision or action is carried out and recorded.
- 5.2 If the complainant/appellant rejects the proposed decision or action, then the complaint/appeal should remain open. This will be recorded as a dispute and the complainant/appellant will be informed of the procedure for bringing the dispute before a Dispute Panel named by the SCS Advisory Board, or the dispute procedure of the Program owner, if other than SCS (e.g., PEFC, SQF), who will be promptly notified.
- 5.3 The Quality Assurance Director/Manager is responsible for monitoring the progress of open complaints and appeals until all reasonable internal and external options of recourse are exhausted or the complainant/appellant is satisfied.
- 5.4 SCS shall ensure that decisions on appeals do not result in any discriminatory actions against the claimant/appellant.
- 6 Dispute Resolution Procedure pertaining to SCS-Owned Programs**
- 6.1 If the complainant/appellant rejects the proposed decision or action related to an SCS Program, the SCS Quality Assurance Director/Manager or his/her designee will provide notice of the dispute to the SCS Advisory Board within seven business days of receipt of the complainant/appellant's rejection. The SCS Quality Assurance Director/Manager or his/her designee will convey the complaint/appeal file in which all

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materials and correspondence associated with the complaint/appeal, including the proposed decision or action, to the Advisory Board.

- 6.2 The SCS Advisory Board will select a Dispute Panel to consist of one member of the Advisory Board and at least one technical expert who is independent of:
- the certification evaluation at issue;
 - the associated certification decision; and
 - the day-to-day implementation of the policies of the relevant SCS program.
- 6.3 The complaint/appeal file, including all evidence provided by the complainant/appellant, along with the proposed decision or action prepared by the SCS Quality Assurance Director/Manager or his/her designee, will be provided to the Dispute Panel.
- 6.4 The Dispute Panel shall, at its sole discretion, request additional information by telephone or written correspondence of the Parties. Based on its review of the facts, the Dispute Panel shall then prepare a written report of its findings, which shall be submitted to the SCS Quality Assurance Director/Manager, the complainant/appellant, and any additional affected parties. Under normal circumstances, the report will be completed **within 120 days of receipt** of the notice of dispute.
- 6.5 Final disposition of the dispute, and written confirmation thereof, will generally take place within 30 days of receipt of the report.

7 Confidentiality

Personally identifiable information concerning the complainant is available only where needed for the purposes of addressing the complaint within the organization and is actively protected from disclosure except to those Parties directly involved, unless the client or complainant expressly consents to its disclosure.

8 Costs of Investigation

- 8.1 While SCS is committed to the principle of broad access to the assessment process, including but not limited to the complaints/appeals process, undue costs associated with investigating a complaint/appeal cannot be borne by SCS. Depending upon the nature of the complaint/appeal, SCS reserves the right to request a fee to cover at least a portion of the costs of the investigation. Such fees will only be considered in situations where the time required to investigate the complaint/appeal is expected to be substantial.
- 8.2 For complaints against the actions of a certificate holder or verification/validation statement recipient, SCS reserves the contractual right to charge that Party for time and expenses incurred in investigating the complaint. Failure to agree to pay these additional charges or to otherwise cooperate in the investigation of the complaint can be grounds for termination of certification or loss of verification/validation status.
- 8.3 SCS is committed to duly considering substantive complaints from any party that is committed to the long-term goals of SCS. However, in the event that this Corporate Complaint, Appeal and Dispute Investigation Procedure is being employed by a "vexatious litigant" for reasons in conflict with the long

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term goals of SCS, SCS reserves the right to turn the matter immediately over to an appropriate external body for further disposition.

9 Delegation of Responsibilities

The SCS Quality Assurance Director/Manager has the authority to delegate his/her roles and responsibilities defined in this procedure, including but not limited to when she/he is not able, or does not meet, the independence requirements.