



# Complaints, Appeals and Dispute Resolution

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# 1. Policy Background

## 1.1. Introduction

This policy is provided specifically for challenges relating to CertiSource-verified timber products, whether in the form of complaints, appeals or other disputes.

Complaints from stakeholders (e.g. environmental organizations, government officials, timber trade organisations, clients) may arise about or in relation to CertiSource-certified timber products.

## 1.2. Scope

This policy applies to all CertiSource members of senior management, staff members and Directors.

## 1.3. Definitions

<i>Appeal</i>	A request by a producer of CertiSource-certified timber (e.g. a sawmill) or a certification applicant for formal reconsideration of any adverse decision made by CertiSource related to its desired certification status.
<i>Appellant</i>	Person or group lodging an appeal.
<i>Arbitrator</i>	An independent person or body appointed to settle a dispute.
<i>Auditor</i>	A CertiSource representative appointed to undertake the inspection of a client or applicant. An auditor may be an employee or subcontractor, and must be independent from the certification committee.
<i>Certificate</i>	The document issued by CertiSource signifying formal award of certification. Certificates are typically issued for batches of timber produce on a case by case basis. The certificate identifies the producer's name, address, the client and client number, effective date of certification, categories of certification and products certified as well as the name and address of CertiSource and other information as determined by CertiSource.
<i>Certification</i>	The overall process by which an entity's products are assessed for conformance to the relevant CertiSource standards, and provided a certification decision.
<i>Complaint</i>	A written expression of dissatisfaction, other than "appeal", by any person or organization, to CertiSource, relating to the issuance of CertiSource Certification of timber produce, where a response is expected.
<i>Complainant</i>	Person or group lodging a complaint.
<i>Days</i>	"Days" means days irrespective of weekend or holidays.

<i>Dispute</i>	A complaint that cannot be satisfactorily resolved by CertiSource.
<i>Disputant</i>	Person or group involved in a dispute with CertiSource.
<i>Panel</i>	“Panel” means an arbitrator or three arbitrators as the case may be.

## 2. Policy Standards

### 2.1 Certification Body Responsibility

Appeals, complaints and disputes concerning aspects of the timber certification process will be dealt with by the relevant Certification Body.

These may come from either clients (e.g. forestland owner, mill owners, manufacturer or retailer) or from other third parties such as interested stakeholders.

Adverse decisions include:

- Refusal to accept an application;
- Refusal to proceed with an assessment;
- Status of Corrective Action requests;
- Decisions to grant, reverse, deny, suspend or withdraw certification; and
- Any other action that impedes the attainment of certification.

All Certification Bodies auditing against the CertiSource system will have their own policies and operating procedures for dealing with appeals, complains and disputes.

In the case where an appeal, complaint or dispute is made regarding aspects of the Certification process as described above, CertiSource will never act as an arbitrator or get involved in any disputes whatsoever. Nor will CertiSource respond to any complaints or appeals with regards certification decisions.

The Certification Body will have sole responsibility for handling such issues in accordance to their own policies and procedures.

### 2.2 CertiSource Policies and Procedures

CertiSource still may need to deal with appeals, complaints and disputes, and in order to give due process to such challenges, this document provides these policies and protocols.

All requests and notices must be made in writing and be accompanied by supporting documentation.

All appeals, complaints and disputes brought to CertiSource's attention by clients or other parties shall be subject to this policy.

CertiSource shall keep a record of all appeals, complaints and disputes and remedial actions, take appropriate subsequent action and document the action taken and its effectiveness, in line with the procedures outlined below.

### 2.3 Submission of Complaints and Appeals

CertiSource senior management will review verbal challenges. In most cases, if a challenge is not lodged in writing, CertiSource will not respond.

A written complaint or appeal must be submitted within thirty (30) days after the incident provoking the complaint.

To have standing under this Policy the submission must:

- Identify and provide contact information for the complainant/appellant;
- Clearly identify the basis of the complaint/appeal (date, place, nature of action) and which parties or individuals are associated with the action;
- Explain the action/incident in detail;

- Indicate what steps have been taken to informally resolve the issue;
- Propose what actions would, in the opinion of the complainant / appellant, rectify the matter.

Written complaints/appeals should be made to:

Mr. Paul Wilson  
 Programme Director  
 info@certisource.org

## 2.4 Complaints and Appeals Investigative Procedures

Upon receipt of a complaint/appeal the CertiSource Programme Director or his designee will undertake the following actions:

- Record the submission on the CertiSource formal Complaints and Appeals Log. Included on the log: date the written complaint is received, CertiSource certificate registration code (if not certified, status is noted, e.g., "pending"), contact person and organization the complaint is received from, CertiSource staff person responsible for follow-up and date reply to complainant is sent.
- Open a complaint/appeal file in which all materials and correspondence associated with the appeal will be maintained.
- Acknowledge receipt of the complaint/appeal immediately, not later than ten (10) days from receipt of the complaint/appeal, informing the complainant/appellant that their complaint/appeal is being reviewed and that they will be kept informed of its progress through CertiSource's Corporate Complaint, Appeal and Dispute Procedure;
- Provide a written response to the complainant/appellant within thirty (30) days of receipt of the complaint/appeal, informing complainant/appellant as to whether or not the complaint/appeal qualifies for investigation under this procedure. The letter will also outline the investigation process;

An investigation will:

- Solicit and collect any additional information necessary to investigate the complaint/appeal. The investigation is to 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.
- Prepare a written report in which findings and recommendations are presented. Normally the report is expected to be completed within sixty (60) days of receipt of the written complaint/appeal.

The CertiSource Programme Director will then:

1. Forward the report to other members of CertiSource Senior Management for review and consultation if appropriate.
2. Render a decision as to the complaint/appeal, including actions such as:
3. Propose an alternative solution.
4. Deny the complaint/appeal.
5. Reverse the action that is the focus of the complaint/appeal.

Within thirty (30) days inform, in writing, the complainant/appellant and other relevant parties (e.g. certificate holder, relevant external parties) of the final decision regarding the complaint/appeal.

## 2.5 Closing a Complaint/Appeal

If the complainant/appellant accepts the proposed decision or action, then the decision or action is carried out and recorded.

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 next steps (see dispute resolution below).

The Programme Director 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.

## 2.6 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, unless the client or complainant expressly consents to its disclosure.

## 2.7 Costs of Investigation

While CertiSource is committed to the principle of broad access to the complaints/appeals process, undue costs associated with investigating a complaint/appeal cannot be borne by CertiSource. Depending upon the nature of the complaint/appeal, CertiSource 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 and travel required to investigate the complaint/appeal is expected to be substantial.

For complaints against the actions of a certificate holder or verification/validation statement recipient (client), CertiSource reserves the contractual right to charge that party for time and expenses incurred in investigating the complaint.

## 2.8 Dispute Resolution

CertiSource and the disputant shall agree on mutually acceptable third party arbitrators to resolve any disputes. This should be agreed within 14 days from the time a dispute arises.

The Panel shall be composed of three arbitrators.

The three arbitrators shall be selected according to the following:

- One arbitrator nominated by the CertiSource Director;
- One arbitrator nominated by the disputant; and
- The third arbitrator shall be selected by submission of candidates by the CertiSource Director and the disputant and shall be selected by the two arbitrators already nominated.
- The Panel shall select a chairperson.

## 2.9 Independence and qualifications of Panel

Every arbitrator shall be independent of the parties and shall immediately disclose any circumstances, or conflict of interest, likely to affect their independence.

## 2.10 Closing a Dispute

The Panel must render a final decision, including the grounds for it, within twenty (20) days following the end of the hearing. The decision shall be final and binding on all parties.

The decision shall not be invalidated by failure to comply with the above time period.

## 2.11 Resolution

If resolution is reached during any of the steps outlined above, a memorandum for the record shall be distributed to the concerned parties, providing final documentation and/or closure.

## 3. Related Information

### 3.1 Related Policies and Documents

This policy has connections to the following CertiSource Policy Statements:

Policy 01: Policy Statement

Policy 03: Standard Development

Policy 07: Non-Conformance.

### 3.2 Policy Review

To ensure that this policy statement remains relevant it will be reviewed regularly at a minimum frequency of every six months. Revisions will be made when necessary to provide solutions to any practical problems encountered.

## 4. Document History

Version	Date Approved	Description
3.00	1 October 2014	<ol style="list-style-type: none"> <li>1. Document history added (i.e. this section).</li> <li>2. Programme Manager changed to Programme Director.</li> <li>3. Reference (section 3.2) to SOPs deleted.</li> <li>4. Non-compliance changed to non-conformance;</li> <li>5. In the “approvals” space the date of the next revision is deleted. This is to avoid confusion as to whether or not a policy is still valid (e.g. the date of the next revision in the past failed to be changed after a review if nothing was changed in a policy).</li> <li>6. The whole policy has been changed to emphasise that CertiSource will not get involved in certification decision appeals, complaints and appeals. Section 2.1 summarises this as: “All Certification Bodies auditing against the CertiSource system will have their own policies and operating procedures for dealing with appeals, complains and disputes.</li> </ol> <p>In the case where an appeal, complaint or dispute is made regarding aspects of the Certification process as described above, CertiSource will never act as an arbitrator or get involved in any disputes whatsoever. Nor will CertiSource respond to any complaints or appeals with regards certification decisions.</p> <p>The Certification Body will have sole responsibility for handling such issues in accordance to their own policies and procedures”.</p>
3.01	4 <sup>th</sup> September 2015	<ol style="list-style-type: none"> <li>1. Contact details changed and general review.</li> </ol>
3.02	11 December 2015	<ol style="list-style-type: none"> <li>2. Section 2.3 contact details needed updating.</li> </ol>
3.03	26 June 2016	<ol style="list-style-type: none"> <li>1. Transfer to new template,</li> </ol>