

## Complaints and appeals process

### 1 Scope and purpose

Parties that rely on certification/validation/verification expect to have complaints investigated and, if these are found to be valid, should have confidence that these complaints will be appropriately addressed and that a reasonable effort will be made by the certification body to resolve them. Effective responsiveness to complaints is an important means of protection for the certification body, its clients and other users of certification/validation/verification against errors, omissions or unreasonable behaviour. Confidence in certification/validation/verification activities is safeguarded when complaints are processed appropriately.

This document describes the process for handling complaints and appeals.

### 2 Terms and definitions

**A complaint** – Expression of dissatisfaction in relation to the auditing work, certification process, validation/verification process, technical assessment or clients product/services. Complaints can be submitted by:

- BM Certification **client** or any third party involved regarding services provided by BM Certification;
- Any **third-party** regarding products or services provided by BM Certification client.

A complaint may be submitted orally or in writing. The complaint must contain the Complainant name and contact information. Complaint shall be accompanied with objective evidence to support each element or aspect of the complaint. Anonymous complaints will be reviewed but no feedback will be provided.

**Complainant** – person making a complaint.

**An appeal** - A Clients request to reevaluate the auditor's conclusion/ recommendation/ nonconformity, clarification request, corrective action request or BM Certification statement/decision.

An appeal must be submitted in writing, identifying submitter and subject of the decision/statement, clear description of the appeal and contact information. Appeal shall be accompanied with objective evidence to support each element or aspect of the appeal.

**Appellant** - person making an appeal.

**Applicant (for GMP+ only)** - A GMP+ certified company or a Certification Body who initiates the Dispute Procedure.

**Dispute Committee (for GMP+ only)** - the committee appointed in each dispute between a GMP+ certified company and a Certification Body.

### 3 Complaints handling process

Complaint is assigned to relevant Certification manager and acknowledgement of receipt is sent within 1 working day. If the relevant Certification manager is involved in the complaint, it's assigned to another Certification manager or Executive director.

Once complaint is assigned, following steps must be taken by assignee:

- Register complaint in Complaint Register and notify Executive director;
- Decide whether the complaint relates to scope of BM Certification activities and, if so, proceed with following steps. If the scope does not relate to BM Certification activities, notify the Complainant.
- Provide an initial response, including an outline of proposed course of action to follow up on the complaint within 10 working days of receiving the complaint;
- BM Certification client in question should be asked to provide any comments on the issues identified in the Complaint and provide any relevant evidences;
- Investigate the issue and gather all required evidences. If necessary, organize an audit to verify the evidences or check the issue during the next planned audit; If follow-up audit organized to investigate complaint – different auditor shall perform it to ensure objectivity;
- Review the evidences gathered and decide on necessary actions. If necessary, an independent committee may be organized for the review. Examination of the complaint shall consider the effectiveness of the certified management system;
- Keep the Complainant informed of the progress in evaluating the complaint, if the process is taking over 20 working days;
- Investigate the allegations and specify all its proposed actions in conclusion to the complaint within three (3) months of receiving the complaint;
- Acknowledge in writing the Complainant when the complaint is deemed closed. Inform about the results of the process, where possible;
- Retain all evidences of actions performed and information received while handling the complaint and update Complaint register;
- Together with the certified/ validated/ verified client and the complainant (if applicable) determine, whether and, if so to what extent, the subject of the complaint and its resolution shall be made public.
- The responses to submitter shall be provided in the same language that is used in the public summary, or the language used shall be agreed with the submitter.

**Anonymity of the Complainant in relation to Client shall be retained, where possible. Confidentiality of the BM Certification client information must be preserved, where possible.**

Person who has been involved in the auditing relevant BM Certification client shall not be involved in the complaint handling for three years after the audit. Decision resolving the complaint shall be made by or reviewed and approved by person(s) not involved in certification activities related to complaint.

#### **4 Appeals handling process**

Appeal is assigned to relevant Certification manager within 1 working day if the appeal is about auditors'/validators/verifiers conclusion/recommendation/nonconformity/clarification request/ corrective action request. Acknowledgement of receipt is sent within 1 working day. Appeal is assigned to another Certification manager or Executive director if the appeal is about Certification managers decision.

Once appeal is assigned, following steps must be followed:

- Register the appeal in Complaint Register and notify Executive director;

- Decide whether the appeal relates to scope of BM Certification activities and, if so, proceed with following steps. If the scope does not relate to BM Certification activities, notify the Appellant.
- Provide an initial response, including an outline of proposed course of action to follow up on the appeal within 10 working days of receiving the appeal;
- Auditor or Certification manager involved in the subject of the appeal should be asked to provide any comments on the appeal and provide any relevant evidences;
- Investigate the appeal and gather all the required evidences;
- Review the evidences gathered and decide on necessary actions. If necessary, an independent committee may be organized for the review. Make a decision to amend the auditors' conclusion/recommendation/nonconformity/clarification request/corrective action request or Certification managers decision or to leave it unchanged. If follow-up audit organized to investigate appeal – different auditor shall perform it to ensure objectivity;
- Investigate the allegations and specify all its proposed actions in conclusion to the appeal within three (3) months of receiving the appeal;
- Notify the appellant on the results of the appeals process;
- Retain all evidences of actions performed and information received while handling the appeal and update Complaint register;

**PEFC:** if disputes relating to PEFC Forest Management and PEFC Chain of Custody of Forest-Based Products certification cannot be resolved between the certification applicant/holder of certificate and the certification organisation, information about it along with other relevant information shall be submitted to the Association "PEFC Latvian Council". The Chairman of the Board of the Association "PEFC Latvian Council" shall assign a dispute settlement committee of three persons, who shall adopt a decision suitable for all parties involved.

**FSC:** if the complaint cannot resolve through BM Certification existing procedures or if the submitter disagrees or is dissatisfied with the conclusion or the way complaint has been handled by BM Certification, submitter can refer complaint to ASI, or ultimate to FSC.

**GMP+:** if disputes relating GMP+ certification cannot be solved between applicant organization/GMP+ Certified Companies and BM Certification based on the CB procedures, then the dispute can be handled in accordance with the GMP+ 2020 Document F0.5 Disputes procedures.

A dispute is initiated by submitting the Application in sixfold by registered mail to the GMP+ International Secretary. The address details of the Secretary are published on the website of GMP + International ([www.gmpplus.org](http://www.gmpplus.org)). An Application should be in writing and at minimum include the following information:

- The name and address (including email) details of the Parties in the disputes;
- A clear description of the facts and circumstances of the dispute;
- Reference to and attaching the written decision by the disputes committee of BM Certification;
- A clear description of the claim including the remedy sought.

If applicable the Application should include copies of relevant documentation, clearly attached and numbered as annexes to the Application.

In the event the Disputes Committee deems the Application incomplete, the Disputes Committee will grant the Applicant a period as determined by the Disputes Committee to correct such incompleteness. In the event the Applicant fails to correct the missing information within the given time frame, the Dispute Committee will deem the Application inadmissible.

The applicant must within 21 days following the date of the Application pay to GMP+ International a Deposit of EUR 3000 (Three thousand Euro) or an amount to be determined by the DRC in a given case based on the complexity of the dispute.

In addition to the Deposit, the Dispute Committee can request the Applicant to pay additional deposit(s) pending the Dispute Procedure.

If the Applicant doesn't pay the Deposit or the additional deposit within 21 days following the date of the Application or the request of the Disputes Committee respectively, the Disputes Committee will deem the Application inadmissible.

## 5 Results

If as a result of processing appeals or complaints, errors and mistakes in the actions of BM Certification are identified, without undue delay the causes of the detected non-conformities shall be investigated, and necessary corrections and corrective actions shall be taken. Results shall be documented in Complaint Register by Certification Manager responsible for investigation of appeal or complaint.

BM Certification shall communicate the results of the complaint's resolution to the relevant ENplus® scheme management.

## 6 Final provisions

BM Certification when signing the contract on certification/validation/verification service provision, shall inform the Client in writing about the order of appeal submission and conflict resolution.

BM Certification shall ensure that decisions on complaints and appeals do not result in any discriminatory actions against the submitter. Moreover, BM Certification will retain the anonymity of the submitter in relation to the client, if this is requested by the complainant.

### Change history:

Change history Number	Summary of Changes	Issue date
BMC08 v1	Review of all requirements	Mar 2023
BMC08 v2	Added GMP+, ENplus® requirements	Apr 2023
BMC08 v3	Added result registration, auditor rotation for investigation	Dec 2023