



Better Brick – Nepal

Standard Operating Procedure (SOP)

Complaints and Appeals

Version 1.0

June 2018

Standard Operating Procedure (SOP)

Complaints and Appeals

1. Introduction

The purpose of this document is to describe the Better Brick – Nepal procedure for dealing with complaints and appeals within its standards and certification system. The procedure is designed to reflect the program’s commitment towards meeting best practices in standards and certification.

Definitions

- The “program partners” are the Global Fairness Initiative (GFI), GoodWeave, Humanity United (HU) and local Implementing Organizations (IOs) in Nepal.
- The Better Brick – Nepal Review Committee (BRC) is a programmatic decision-making body that is responsible for strategic program decisions, decisions on accepting applicants into the program, and removing partners from the program.
- The ‘Certification Committee’ is the certification decision-making body of Better Brick – Nepal.
- A complaint is a formal expression of dissatisfaction by a third party related to the Better Brick – Nepal Standard or the operation of any part of the certification system.
- An appeal is a formal expression of dissatisfaction by an affected party about a certification decision.
- The ‘website’ referred to www.GoodWeave.org/bricks.

2. General Scope and Procedure for Complaints and Appeals

Better Brick – Nepal strives to operate its certification program with due diligence. However, the program partners recognizes that an important part of due diligence is careful and complete management of complaints and appeals such as:

- Complaints regarding the Better Brick – Nepal Standard;
- Complaints and appeals regarding certification decisions;
- Complaints regarding the auditing process;
- Complaints regarding the conduct of the program personnel, including staff, committees, contractors, auditors/inspectors; and
- Complaints regarding participant, member and certified kilns.

In order for Better Brick – Nepal to act on a complaint or appeal, the subject of the complaint must be under the program's authority such as: disregard of standards, policies or operating procedures, arbitrary judgements, non-professional behaviour, unethical behaviour, discrimination, un-timeliness, violation of conflict of interest, or breach of confidentiality.

Complaints may be lodged by any interested party that is not satisfied with the operations or decisions of Better Brick – Nepal, its partner organization and personnel.

Appeals may only be brought forward by a party about which a certification decision was made.

General procedures for receipt and initial processing of complaints and appeals are handled in a similar way, as described in this procedure, whereas decision-making authority is determined on the basis of the specifics of the case. All of the personnel involved in investigating or resolving complaints should be free from commercial, financial, and other pressures, which might unduly influence the complaints process or decisions. All decisions related to the status of a participant, member or certified kiln remain in force until the complaint or appeal is settled. Any costs associated with the complaints or appeals process is the responsibility of the party initiating it.

2.1 Submission

Complaints and appeals must be submitted in writing to Better Brick – Nepal, clearly stating that a complaint or appeal is being lodged, explaining the nature of the complaint or appeal and accompanied by documented evidence to support the claim and the signature of the complainant. A complaint must also contain a full explanation of the perceived problem including dates of events associated with the complaint and the names of the involved parties.

Complaints and appeals may be submitted to GoodWeave either directly or via the program partners (see Appendix 1 for contact information). GoodWeave designates a responsible individual to serve as Complaints Administrator (CA). If any program partners receive a complaint or appeal, the complainant should be referred to GoodWeave. On receipt of a complaint or appeal from any stakeholder, the CA will confirm receipt in writing to the body making the complaint or appeal (hereafter 'claimant') within 10 working days.

2.2 Initial Screening

The CA evaluates whether the complaint or appeal meets the criteria described above and can thus be accepted into the procedure.

- If a complaint or appeal is accepted into the procedure, the CA refers the complaint or appeal to the appropriate committee or management personnel and informs the claimant about the acceptance and further steps and timelines. The CA's preparations may include requesting additional information from the claimant, collating data from other sources and drafting a response as needed.
- If a complaint or appeal is rejected, the information about the applicable reasons is provided to the claimant by the CA in writing. In this case the complaint is abandoned. The CA keeps a log of all complaints and appeals that were rejected.
- If rejected, the claimant may choose to pursue the complaint or appeal. In this case, the claimant is expected to amend its complaint or appeal in consideration of the reasons for rejection. The amended complaint or appeal is submitted to the CA, which confirms receipt and follows the screening procedure as described above to determine whether to accept or reject the amended complaint or appeal. If accepted, both the claimant and the decision-making committee or individual assigned to the case receive the amended complaint or appeal and the CA's response.

2.3 Review

Because of the variation in the types of complaints that may be received, the CA manages complaints on a case-by-case basis by determining the appropriate committee or management personnel to address any complaint that is accepted into the procedure.

Complaints against the Better Brick – Nepal Standard may reasonably be made on the following grounds and are referred to the Standards Committee:

- The determination of a standard not adhering to the Operating Procedure for Development of Standards; or
- The determination of a standard not adhering to the Project Description or Public Summary available on the website.

A complaint or appeal about certification might reasonably be made on the following grounds and is referred to the Certification Committee:

- There is evidence to indicate that a kiln has been granted member or certified kiln status where it is not complying with the relevant requirements;
- There is evidence to demonstrate that a member or certified kiln status has been denied or revoked when it is in fact adhering to the relevant requirements; or

- There is evidence to indicate that one or more Better Brick – Nepal personnel, units or committees did not properly adhere to the appropriate policies or operating procedures, in such a way as to lead to an improper certification decision.

Any other complaints are generally referred to the BRC. If it is a complaint about a very specific issue that is under the remit of one organization or unit, which does not affect the other parts of the Better Brick – Nepal system, it may be referred to that particular organization or unit.

The assigned committee or personnel then proceeds to review the case to make a decision about the merits of the complaint or appeal within 30 days of receipt from the CA. During this time, the claimant or any other affected parties may be approached for clarification or additional information. If deemed necessary by the personnel assigned to the case, arrangements are made for the claimant to be present or represented by a third party (if requested by the claimant) at the meeting at which the complaint or appeal is considered.

2.4 Decision on a Complaint

Once the assigned party has determined whether a complaint has merit, it then determines what further actions and/or decisions are needed to address the complaint. This may include requesting additional information, collating data from other sources or commissioning an investigation and preparing a response to the claimant. Information about the decision is provided by the CA to the claimant in writing along with any available information about the further steps and timelines.

In the case of a complaint relating to the Better Brick – Nepal Standards, the possible outcomes of the review of a complaint by the Standards Committee could be:

- The complaint may be accepted; in this case a new standard-setting or review project would be carried out.
- All or part of the Standard against which a complaint is made may be declared as invalid; in this case the Standard Committee may substitute alternate wording or declare all or part the previous version of the Standard as valid.
- The complaint may be rejected; in this case the CA would communicate the reasons for the rejection to the claimant. The decision at this stage is final and no further appeal is possible.

In the case of a complaint relating to a certification decision, the possible outcomes of the review of the complaint by the Certification Committee could be:

- The complaint may be accepted; in this case a review of the relevant certification decision is carried out.

- All or part of a previous decision may be declared invalid and amended or reversed (or it may be declared as valid).
- All or part of the processes carried out by Better Brick – Nepal relating to or informing a certification decision (e.g. audits and inspections) may be declared to have been carried out improperly and therefore appropriate corrective actions are determined.
- The complaint may be rejected; in this case the CA communicates the reasons for the rejection to the claimant and the complaint is closed.

In any case once a decision has been made, the claimant is informed about the final decision by the CA. The decision is final and no further complaint against the decision is possible.

2.5 Decision on an Appeal

In cases involving appeals, the Certification Committee reviews the details of the case and decides whether to accept the appeal and amend its previous decision. Once a decision has been made, the CA informs the claimant about the outcome.

If not satisfied with the decision, the claimant may choose to pursue a final appeal. In this case, the claimant is expected to amend its appeal in consideration of the reasons given for the decision. In this case the decision-making authority is given to an Appeals Committee appointed by the BRC. The amended appeal or complaint is submitted to the CA, which confirms and informs the BRC and the Certification Committee. The BRC appoints a three-person Appeals Committee to consider the case. This may include members of the BRC itself or other individuals from the program partners, the Standards Committee, or independent experts (but not members of the Certification Committee). The Appeals Committee shall follow the same general operating principles for decision-making used by the Certification Committee; the BRC provides direction on the process for carrying out the review. The Appeals Committee must complete review of the case within 30 days. The decision of the Appeals Committee is final and no further appeal against the decision is possible.

3. Information

Once an investigation has been completed, the claimant as well as the subject of the complaint or appeal are notified of the outcome. Better Brick – Nepal reserves the right to inform its accreditors, regulatory authorities, participant, member and certification kilns, and the general public of the outcome of complaint procedure, per the Better Brick – Nepal Confidentiality Policy.

4. Documentation

A log of complaints and their outcomes is maintained by the CA. All records related to a complaint, including the specifics of the case, dates, corrective actions taken by Better Brick – Nepal and other parties in the case and the effectiveness of these actions, are kept for at least five years. Electronic copies are kept as existing and back-ups are made as often as deemed necessary.

5. References

Certification Committee Terms of Reference
Confidentiality Policy
SOP Development of Standards

**Appendix 1:
Notification of Complaints and Appeals Procedure**

Better Brick – Nepal recognizes that an important part of due diligence in operating its certification program is careful and complete management of complaints and appeals. Any interested party may submit a complaint or appeal regarding the Better Brick – Nepal Standard, certification decisions, conduct of personnel or other related matters.

Complaints and appeals must be submitted in writing, explaining the nature of the complaints or appeal, a full explanation of the perceived problem including dates of events and names of involved parties, if applicable, and accompanied by documented evidence to support the claim along with the signature of the complainant. Complaints and appeals may be submitted by email to the following address:

Complaints Administrator
GoodWeave International
bricks@goodweave.org

[Name, address & phone number for local contact]

See ***Standard Operating Procedure: Complaints and Appeals*** available at <http://www.goodweave.org/bricks/> for more information.