



*Perry Johnson Registrars Carbon Emission Services Inc.*

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## **Procedure for Handling Complaints / Disputes / Appeals**

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Dissatisfied parties and the complaints they generate are inevitable. It is important that all complaints, whether against PJRCES or PJRCES contractors, are dealt with fairly. This procedure outlines a process whereby PJRCES grants all parties a fair hearing in disputes that may arise. This procedure also defines how the interested party can present an argument for reversal of a decision with which it disagrees (appeals).

**Approved by:**

**Date: 08.02.2013**

## AMENDMENT RECORD

Date	Details	Rev Level
14/03/2011	First issue a. This procedure has been derived from earlier procedure PRO-9cdm. b. It Revised to comply with latest version of Accreditation Standard	1.0
10/05/2011	Revised based on document adequacy check audit findings	1.1
02.09.2011	a. Logo and name of the organization changed from PJRCDM to PJRCES b. Definitions of complaints, disputes and appeals changed to match the definitions in AS c. In disputes, mention of interested parties is changed to project participant	1.2
08.09.2011	a. The procedure now mentions “shall put it on its website for making it publicly available” in section 4.1. b. Where ever it is mentioned as “appeal committee”, it is changed to “appeal panel” c. Section 6.0 now includes who and how appeal panel would be constituted.	1.3
31.01.2012	Section 6.5 has been amended to make the Chair of Impartiality committee to constitute an Appeal Panel.	1.4
24.02.2012	Section 6.5 revised to clarify decision-making process of the Appeal Panel.	1.5
08.02.2013	Aligned with UNFCCC accreditation standard Ver 4.0	1.6

# PROCEDURE FOR HANDLING COMPLAINT / DISPUTES / APPEALS

## 1. General

### 1.1. Purpose:

- 1.1.1. Set forth procedures for receiving, evaluating, managing and handling complaints/ disputes / appeals directed towards PJRCES and to derive maximum benefit from any such complaint by instituting or requiring corrective action and quality improvement where necessary.
- 1.1.2. Set forth a process whereby the complainant can receive a fair and equitable handling of complaints / disputes / appeals and a process by which complainants can appeal decisions made by PJRCES.

### 1.2. Scope:

All complaints/ disputes / appeals on validation and/or verification/certification activities (regardless of source) made about PJRCES or its representatives.

### 1.3. Definitions:

- 1.3.1. Complaint: Formal (written) and/or informal (verbal) expressions of dissatisfaction regarding the performance of PJRCES in relation to its CDM function(s), from any source, such as the CDM client organization (CDM PP), the general public or its representatives, government bodies, NGO's etc.
- 1.3.2. Dispute: Disagreement between PJRCES and the project participant (PP) regarding PJRCES's recommendation and/or opinions/decisions made at various stages during validation and/or verification/certification functions.
- 1.3.3. Appeal: A CDM client organization's (CDM PP) request for a review by an independent appeal panel of various decisions taken by PJRCES in respect of validation and/or verification/certification functions.
- 1.3.4. Complainant:
  - 1.3.4.1. Interested party or organization whose project was validated/verified,
  - 1.3.4.2. Any entity which has a complaint regarding PJRCES with the exception of the UNFCCC, or
  - 1.3.4.3. Organization whose complaint is about the conduct of PJRCES employees or contractors.

## 2. Related Procedures, Exhibits:

### 2.1. PJRCDM-QM Quality Manual

### **3. Responsibility:**

- 3.1. Program Managers (Global and Site) shall have overall responsibility for implementation of this procedure at the respective Offices.
- 3.2. Quality Manager and Global Program Manager (GPM) shall provide final decision on corrective/preventive actions to be implemented by the Program Managers.
- 3.3. Quality Manager shall be responsible to take systemic corrective/preventive action in the QMS and also across all sites as applicable.

### **4. Mechanism for receiving complaints**

- 4.1. PJRCES shall make its procedure on handling complaints / dispute / appeals available to various accreditation bodies and shall put it on its website for making it publicly available.
- 4.2. Site Program Manager (SPM) / Global Program Manager (GPM) or their nominee shall be responsible for receiving complaints from various stake holders / interested parties / complainants etc.
- 4.3. All PJRCES employees shall accept complaints and forward to SPM (for sites) and GPM (for Central office) for investigation and resolution:
  - 4.3.1. If complaints are received by any of the employees or subcontractors in relation to V&V services, they shall be forwarded to the SPM or GPM for further action.
  - 4.3.2. If complaints are received orally by SPM / GPM or the nominee, then they shall be documented in Complaint register form (F-10.01). The receiver of complaints shall obtain relevant details of complainant and his organization etc, so that authenticity of complaint can be established.
  - 4.3.3. If complaints are received in writing or email then they shall be transferred to Complaint register form and received documents shall be used as evidences.
  - 4.3.4. If the complaints are received indirectly by other means through public sources like press reports and other news media (paper, TV etc) then this shall be investigated and verified for its authenticity and genuineness before recording in Complaint register form.
- 4.4. Once a complaint is received, its validity is determined in a four pronged approach:
  - 4.4.1. SPM shall make a note of the sequence of events based on the complainant narration.
  - 4.4.2. He/she will then make a note of the sequence of events from the person(s),

involved in the complaint.

- 4.4.3. SPM shall then compare both the sequences and also check for objective evidences, if any.
- 4.4.4. Conclusions on the validity of the complaint is arrived at based on the comparison of two narrations and also evidence obtained
- 4.5. Complaints are registered by GPM for Central office and by SPM for Site office. GPM / SPM shall carry out root cause analysis and based on this proposed actions to be taken by involving concerned personnel using Non conformity report (F-09.07) and forward the same to Quality Manager for approval.
- 4.6. GPM / SPM shall make sure that the persons engaged in complaint handling process are different form those who carried out validation or verification activity.
- 4.7. It shall also be made sure that confidentiality of the complainant is safeguarded.
- 4.8. Quality Manager and GPM shall then review the proposed action and approve or improve the action plan and also determine if the President needs to be involved in its resolution.
- 4.9. GPM / SPM shall inform the complainant of the receipt of complaint, its handling process, persons chosen to handle the process, and shall provide necessary reports and whenever necessary a formal notice of the outcome.
- 4.10. PJRCES shall not deem corrective action to have been completed until its effectiveness has been demonstrated and necessary changes made in the procedures, processes, documentation and/or records.
- 4.11. Based on the complaint received and action taken, Quality Manager shall examine whether systemic changes are required across the Site and/or Central Office to avoid/prevent similar complaint occurring in future. If yes, then QMS shall be suitably modified and action taken for implementation of revised system.
- 4.12. Records of all complaints and opportunities for improvement are discussed during management review meetings. They become action items and are assigned to appropriate person with a target date for achievement. PJRCES shall ensure that the organization is using investigations of complaints to develop corrective action, which include measures for:
  - 4.12.1. Notification to appropriate authorities if required by regulation.
  - 4.12.2. Restoring conformity as quickly as practicable.
  - 4.12.3. Preventing recurrence.

- 4.13. If a complaint is received relating to project participant (PP), then it shall be processed in the same way mentioned in section 4.2, 4.3 and 4.4.
- 4.14. Actions taken to tackle these complaints may depend, not limited to, but on following points:
  - 4.14.1. Whether it is on client or a project
  - 4.14.2. If it is on the project, whether it is under any stage of validation/verification
  - 4.14.3. Whether it is based on emission reduction or sustainable development issues etc.

## **5. Disputes**

- 5.1. In all disputes GPM/SPM will obtain pertinent information from project participant (PP). Then GPM/SPM and his/her team shall evaluate the dispute in light of PJRCES policies and applicable rules. The team shall use all reasonable efforts to resolve the dispute. If the dispute cannot be resolved, GPM / SPM will advise the PP of their right to appeal the dispute decision.
- 5.2. Personnel, including management, should not be employed to investigate any dispute if they have been directly involved in the dispute within past two years.
- 5.3. All disputes are dealt with in a constructive and timely manner. Where the operation of such procedures has not resulted in acceptable resolution of the matter or where proposed procedure is unacceptable to the PP, SPM provides following, in writing, to the party submitting the dispute:
  - 5.3.1. Opportunity for a formal appeal.
  - 5.3.2. Provision of a third-party involvement or other means to ensure impartiality of dispute.
  - 5.3.3. Provision to disputing party of a written statement of the dispute findings including reasons for the decisions reached.
- 5.4. PJRCES ensures that PP is made aware, as and when appropriate, of the existence of the appeals / dispute process and the procedures to be followed.
- 5.5. Records of all disputes are maintained (F-10.02) and opportunities for improvement are discussed during management review meetings.

## **6. Appeals**

- 6.1. If a PP wishes to appeal the dispute decision, it must submit a formal written appeal within 15 days. Once the appeal is received, PJRCES initiates steps necessary to appoint an Appeal Committee.

- 6.2. The Appellant selects an advocate to represent its case and forwards the name, in writing, to GPM/SPM.
- 6.3. GPM/SPM shall notify the same to the President, Regional Director and Quality Manager.
- 6.4. President appoints an appropriate advocate to represent the position of PJRCES based on the inputs from GPM/ SPM.
- 6.5. Chair of the Impartiality Committee, appoints an appeal panel consisting of 2 members, on the recommendation of the President. The appointed member shall not have involved in validation, verification or certification activities including independent technical review functions or made decisions regarding the CDM project functions.
- 6.6. Appeal Panel shall have all needed information regarding the appeal and all other pertinent information.
- 6.7. Appeal panel meets at a place and time of mutual consent and holds a private meeting to discuss the merits of the Appellant's case or via teleconference. They will be supplied with any documentation that pertains to the appeal. They may request objective evidence from either side for examination and discussion, such as: relevant documents, PJRCES procedures, etc. Appellant and PJRCES advocate are given the opportunity to present whatever evidence and/or oral argument they deem necessary.
- 6.8. Decision by the Appeal panel shall be taken on consensual basis. At such point as Appeal panel believes it has exhausted avenues of consideration and no decision have been reached the Appeal panel shall revert the case to the Chair of Impartiality Committee. In such cases a secondary Appeal Panel, consisting of one member, shall be established. The secondary Appeal panel shall make decision on the basis of work undertaken by the primary Appeal panel.
- 6.9. Appeal Panel drafts a brief setting forth its decision, including whatever information it feels is worthwhile to disclose and supplies the appellant's advocate and the PJRCES advocate with a copy. Appeal panel is under no obligation to disclose details of its deliberations.
- 6.10. Decision of Appeal panel is forever binding in the matter under appeal.
- 6.11. Appeal panel shall issue its brief no longer than 30 days after GPM/SPM receives in writing the name of the Appellant's advocate.
- 6.12. Should the appellant be still dissatisfied after having gone through appeal process; PJRCES is compelled to advise the appellant of the right to appeal to appropriate authority like

UNFCCC and/or other GHG – ER bodies.

**7. Additional actions**

- 7.1. PJRCES recognizes protests and appeals as a source of data signaling a need for personnel re-training or additional follow-up actions. SPM or designee is responsible for ensuring that auditor re-training and follow-up activities occur and their effectiveness is verified.
- 7.2. PJRCES shall ensure that persons engaged in handling complaints / disputes are different from those who carried out validation or verification and certification activities.
- 7.3. PJRCES shall safeguard confidentiality and impartiality of complainant and subject of complaint / dispute / appeal and shall not result in any discriminatory action against them.

**8. Records:**

- 8.1. F-10.01 Complaint registration form
- 8.2. F-09.07 Non conformity report