

# Complaint Procedure

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## 1. Introduction

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- 1.1 This document outlines the process adopted by SCS Standards to ensure the consistent, effective, comprehensive, and timely resolution of complaints formally lodged by any concerned person or organization regarding SCS Standards.
- 1.2 A complaint is understood as a written expression of dissatisfaction by any person or organization relating to the activities of SCS Standards or of any party participating or appearing to participate in SCS Standards programs, where a response from SCS Standards is appropriately requested in accordance with this procedure. For example, complaints may relate to the conduct or procedures of certificate holders, certification bodies, auditors, accreditation bodies, or SCS Standards, and may include allegations of fraud or potential fraud.
- 1.3 The complaints procedure is available to parties with a material interest in SCS Standards and its activities, including:
- Organizations certified or seeking certification under SCS Standards;
  - Organizations certified or seeking certification or verification under standards managed by SCS Standards;
  - Approved and applicant certification bodies and their auditors;
  - Accreditation bodies; and
  - Third-party individuals or organizations who perceive a stake in the affairs of SCS Standards, such as NGOs, community groups, or trade unions.
- 1.4 SCS Standards is responsible for gathering and verifying all necessary information to progress the complaint to a decision. The formal process outlined herein should be employed only when less formal measures and lower-level attempts do not achieve resolution.

## 2. Lodging and Standing of a Complaint

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- 2.1 Issues between parties should be resolved at the lowest level possible. When a complaint is held against a certificate holder, certification body, or other party below SCS Standards, parties should make all reasonable efforts to resolve the issue directly with those involved, including providing an opportunity for the respondent to remedy the situation. If resolution is not found, the complainant may request that SCS Standards become involved, pursuant to this procedure.
- 2.2 Complaints should be submitted to: [standards@scsstandards.org](mailto:standards@scsstandards.org).

2.3 To have standing under this procedure, the complainant must include the following information in their complaint submission:

- Contact information for the complainant;
- A clear description of the aggrieved action (date, place, nature of action) and which parties or individuals are associated with the action;
- An explanation as to 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 a third party such as a certificate holder or certification body, rather than SCS Standards itself, the complainant's description of efforts taken to resolve the matter directly with that party; and
- A proposal of what actions would, in the opinion of the complainant, rectify the matter.

2.4 SCS Standards is committed to considering substantive complaints from any party that is aligned with the long-term goals of SCS Standards. However, in the event that this procedure is being employed by a 'vexatious litigant' for reasons in conflict with the long-term goals of SCS Standards, SCS Standards reserves the right to reject the complaint as without merit. Other situations in which SCS Standards may find a complaint inadmissible include:

- Complaints that appear to be related to private disputes or for the purpose of gaining competitive advantage;
- Complaints that lack sufficient objective evidence; and
- Complaints that do not explicitly relate to SCS Standards activities or to programs owned or managed by SCS Standards.

### 3. Complaint Resolution Process

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3.1 Upon receipt of a complaint, the SCS Standards Executive Director (hereafter, 'Executive Director') or designee will undertake the following actions<sup>1</sup>:

- Open a complaint file in which all materials, correspondence, and actions associated with the complaint will be maintained.
- Acknowledge receipt of the complaint **within five (5) business days**, informing the complainant that its complaint is being reviewed for standing and admissibility.
- Review the standing and admissibility of the complaint, based on criteria outlined in 2.3 and 2.4 (above).
- Provide a written response to the complainant **within 15 business days of receipt** of the complaint, informing the complainant as to whether or not the complaint qualifies for

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<sup>1</sup> In the event that SCS Standards has to seek guidance from a certification body/accreditation body, the timeframes and milestones referenced in this procedure are likely to be affected. The complainant will be notified if such guidance is being sought or if the timelines outlined in this procedure cannot be met for any other reason.

investigation under this procedure, and outlining the investigation process and the recourse available to the complainant.

- Should the complaint qualify for an investigation, when possible, the investigation will be assigned to an individual who is independent of the complaint and complainant, i.e., free of conflict of interest.

3.2 When applicable, SCS Standards will notify the subject of the complaint (e.g., certification body or certificate holder) **within 7 (seven) business days** of receipt of the complaint (except for circumstances when such information may endanger the complainant's representative and/or interfere with the investigation).

3.3 The assigned investigator will undertake the following tasks:

- Solicit and collect any additional information necessary to investigate the complaint. The investigation will be based primarily upon the complaint statement and any written documentary evidence supplied by the complainant. It is the complainant's burden to establish that there has been any action taken in contravention of a requirement. The investigator may augment the documentary evidence submitted by the complainant with telephone and email interviews. The investigator, if authorized by the Executive Director (or designee), may elect to conduct a site inspection to augment the documentary evidence.
- Prepare a written report in which the investigator's findings and recommendations are presented. This report should be submitted to the Executive Director **within 90 days of receipt** of the complaint.
- Submit the report to the Executive Director (or designee) for review.
- When applicable, a progress report will be sent to the complainant.

3.4 The Executive Director (or designee) will undertake the following tasks:

- Review the report to determine if further information is required from the investigator.
- Review internal systems and standard-specific requirements and issue internal non-conformities and/or recommendations, where appropriate.
- Whenever possible, the outcome of the complaint investigation will be provided in writing to the complainant and other relevant parties (e.g., certificate holder, certification body, external stakeholders), and may include the disposition of the complaint, the report (or a summary thereof), and the final decision.
  - Under normal circumstances, the report will be completed and submitted to the complainant and relevant parties **within 120 days of receipt** of the complaint.
- Recommend that the certification body issue non-conformity(ies) to the certificate holder under investigation, where applicable.
- Close the complaint process and ensure the outcome and all associated actions are properly recorded.

- 3.5 The Executive Director (or designee) is responsible for monitoring the progress of open complaints. In the event that no response is received from the complainant within six months after the last communication, the complaint will be deemed closed.
- 3.6 SCS Standards will ensure that decisions on complaints do not result in any discriminatory actions against the claimant.
- 3.7 The complaint may be withdrawn at any point in the resolution process at the complainant's sole discretion. In such cases, the resolution process will be terminated by SCS Standards and recorded as such.

## 4. Confidentiality

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- 4.1 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 consents to its disclosure.
- 4.2 Information about a complaint and its resolution may be provided to relevant external stakeholders upon request when reasonable justification is provided. In such cases, the external stakeholder will be subject to a non-disclosure agreement in relation to the complaint and the information therein.

## 5. Costs of Investigation

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- 5.1 While SCS Standards is committed to the principle of accessibility, including but not limited to this procedure, costs associated with investigating a complaint cannot be borne solely by SCS Standards. Depending upon the nature of the complaint, SCS Standards reserves the right to charge 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 is expected to be substantial.
- 5.2 For complaints against the actions of a certificate holder or verified organization, SCS Standards reserves the right to charge that party or the scheme owner (where applicable) for time and expenses incurred in investigating the complaint. Should a certificate holder or verified organization fail to pay these additional charges or to otherwise cooperate in the investigation of the complaint, SCS Standards may recommend to third parties (e.g., certification bodies) that the certification or verification status of the party under investigation be suspended.