

# Global Instruction

DC-GHG 003

Rev. 05

## Complaints, Disputes and Appeals



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### 1. Process-Owner

Germanischer Lloyd Certification, Greenhouse Gas Services Coordinator

### 2. Scope of Application

The present procedure governs the handling of appeals, disputes and complaints directed towards GLC's GHG Services. The procedure applies to all appeals, disputes and complaints regardless of the source which submits a complaint, dispute or appeal against GLC's GHG Services or its representatives, including, but not limited to interested parties whose project we have validated/verified and any entity which has an appeal, dispute or complaint regarding GLC's GHG Services or the conduct of our employees or contractors.

### Definitions

*Complaints:* Formal (written) and/or informal (verbal) expressions of dissatisfaction regarding the performance of GLC in relation to our CDM function(s), from any source, such as the CDM client's organization (CDM PP), the general public or its representatives, government bodies, NGOs, etc.

*Disputes:* Disagreement between GLC and the project participant regarding our recommendation and/or opinions/decisions made at various stages during the validation and/or verification/certification functions.

*Appeals:* A CDM client organization's (CDM PP) request for a review by an independent appeal panel of various decisions taken by GLC in respect of validation and/or verification/certification functions.

## Complaints, Disputes and Appeals

### 3. Process description

#### 3.1 Principles

All appeals, disputes and complaints are recorded and handled confidentially and impartially. Every complainant, organization raising a dispute and appellant respectively will not be discriminated against. Persons handling the complaint, dispute or appeal have to be independent and not involved in the project or process related to the complaint, dispute or appeal.

#### 3.2 Process and responsibilities

(1) Everybody working for or on behalf of GLC is obliged to record an appeal, dispute or complaint towards the GHG services group. The recipient of an appeal, dispute or a complaint uses a special form – the complaints, dispute and appeals form – to record them and forwards the note to the Quality Representative immediately.

In addition, the GLC's GHG Services website comprises a form which can be used directly by any stakeholders and forwarded to the Quality Representative.

(2) The QR conducts an assessment whether a complaint, dispute or appeal is valid or not. As the complaints, disputes and appeals may vary and differ based on the nature and content there is no overarching list of validity criteria's and this review is conducted on a case by case basis. However, all complaints, disputes and appeals which concern alleged breaches of contracts (e.g. lack of confidentiality, exceeding of deadlines, and the like), alleged improper behaviour of GLC staff (e.g. biased behaviour, incompetence, etc.), dissatisfaction with a GLC decision (findings, validation/verification decision etc.) are followed-up with by the QR. In case the complainant, person raising a dispute or appellant can not provide any reason for the complaint, dispute or appeal the QR is entitled to reject the complain, dispute or appeal directly.

(3) The complainant or appellant shall receive a confirmation of the received complaint, dispute or appeal within five working days by the Quality Representative.

(4) The Quality Representative conducts a thorough review of all appeals, disputes and complaints and based on their nature decides within five working days whether the appeal, dispute or complaint allows

a follow-up within the GHG services group or if the activation of the appeals panel is required directly (5).

### *3.2.1 Follow-up within the GHG Services*

(6) In case the complaint/dispute/appeal allows a follow-up within the GHG services group, the Quality Representative informs the GHG Co who within five working days performs a review of the complaint/dispute/appeal. The GHG Co contacts the involved GLC staff to ask for background information on the appeal/dispute/complaint and develops a solution. (7) The GHG Co discusses the solution with the complainant/appellant. The complaint/dispute/appeal is settled when the complainant /appellant accepts the suggested solution. (8) In addition the GHG Co conducts a root cause analysis, (9) initiates required actions and (10) informs the Quality Representative about the outcome.

In case the GHG Co has been involved in the complaint/dispute/appeal issue the Quality Representative involves the GHG Co Deputy to handle the complaint/dispute/appeal.

The Quality Representative files all complaints, disputes and appeals in a central list and submits a copy to the GHG Co who maintains it in the project file. Together with the GHG Co the Quality Representative reviews the reasons for complaints/disputes/appeals annually in order to identify main failures.

### *3.2.2 Follow-up via the GLC Manager*

(11) In case the complaint/dispute/appeal cannot be settled directly between the GHG Co and the client, the GHG Co, within another five working days includes the GLC Manager to arbitrate between the client and the GHG services (in case the Manager is not available within this time frame, the complaint/dispute/appeal receives a note with the suggested time frame for discussing the issue with the manager.).

(12) In case the GLC Manager successfully settles the complaint/dispute/appeal analogously to the steps in subsection 3.2.1 the GHG Co conducts a root cause analysis, initiates required actions and informs the Quality Representative.

If the arbitration does not lead to a successful settlement of the complaint/dispute/appeal the GLC Manager informs the Quality Representative who activates the appeals panel.

### *3.2.3 Follow-up via the appeals panel*

**(13)** In case the appeal can not be settled by the GHG Co or the GLC Manager, the Quality Representative initiates the appropriate action to convene the appeals panel.

The GHG Services' panel comprises three members who are not involved in any GHG Service activities. Furthermore, the independence of the panel members is reviewed by the Impartiality Committee, respectively to the Chair of the Committee. Only those candidates approved by the Impartiality Committee are considered for the appeals panel.

Before being appointed as panel member every candidate has to sign a declaration that she/he is independent and impartial. The QR shall review before the assignment that respective declarations are available.

There are a minimum of six potential candidates out of whom the Quality Representative chooses randomly three to compose the panel. The names and contact details of the designated persons are provided in the "members of the panel" form. Within ten working days the Quality Representative forwards the names of the panel members to the appellant, who has the right to object to the composition within five working days. In such case the Quality Representative evaluates the reason for objection and if he accepts the reason nominates alternative members and forwards the names to the appellant.

The Quality Representative arranges a meeting attended by the appeals/complaints panel, the GHG Co, the appellant or complainant (if he/she wishes to attend) and the Quality Representative who acts as moderator and is responsible for the meeting minutes.

After settling the dispute analogously to the steps in subsection 3.2.1 the GHG Co conducts a root cause analysis and initiates required actions. In addition, he informs the Quality Representative about taken steps to resolve the cause and planned preventive actions.

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In case GLC does not agree with the decision of the appeals panel, the GLC has the option to forward a complaint about this decision to the CDM-EB.

(14) If a complaint or dispute can not be settled by the panel the case is forwarded to GL's legal department which by than takes the lead and tries to settle the complaint or dispute. The communication between the legal department and the GLC is in the responsibility of the Quality Representative.

#### **4. Monitoring and/or measuring**

- The independence of the members of the complaints and appeals panel is monitored by the Impartiality Committee.
- The number and type of complaints and appeals are monitored and recorded by the Quality Representative and presented on an annual basis to the Impartiality Committee.
- In addition, the Quality Representative records all complaints, disputes or appeals, the time frames for the different actions to be taken and the corrective and preventive actions and presents them to the GLC management. This information is integrated in an annually internal audit report.

#### **5. Control of records**

Records generated during the execution of the process comprise appeal-, dispute or complaint notes. These records are kept on file for a time period of at least five years. In addition, German legal requirements are to be complied with.

#### **6. Further applicable documents**

DC-GHG 003\_A Internal complaints form

DC-GHG 003\_B External complaints form

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DC-GHG 003\_C Members of the appeals panel

DC-GHG 003\_D Assignment for panel member