

# Public procedure for handling of complaints, disputes and appeals

## 1 Purpose

Inform clients and stakeholders of our Climate and Environmental Protection services as

- a) Designated Operational Entity (DOE) for the Clean Development Mechanism (CDM)
- b) Independent Entity (IE) for the Joint Implementation (JI)

This procedure outlines handling of complaints, disputes and appeals as defined in the [CDM ACCREDITATION STANDARD FOR OPERATIONAL ENTITIES](#) and the [CDM Modalities and Procedures](#), which stipulate a designated operational entity (DOE) shall have “documented internal procedures for carrying out its functions including, among others, procedures for handling complaints. These procedures shall be made publicly available.”

## 2 Where to complain

Clients and interested parties can address complaints, disputes and appeals (concerns and congratulations as well) to:

Customer Service Center e-mail: [service-gc@tuv.com](mailto:service-gc@tuv.com)

Tel: +86 4008831300

DOE for CDM

e-mail [GHG-DOE@bj.chn.tuv.com](mailto:GHG-DOE@bj.chn.tuv.com)

AIE for JI

e-mail [ji@de.tuv.com](mailto:ji@de.tuv.com)

## 3 Policy

It is our policy to request that all external complaints be submitted in writing. This is for the protection of both the complainant and our organization. Having the complaint in writing ensures we understand the complainant's issue. We maintain confidentiality and privacy, inform about progress, and will take efforts to retrieve any additional information needed to resolve the issue within an appropriate timeframe. We appreciate the feedback and do not permit discriminatory actions. Our Steering Committee is independent, represents stakeholder interests, and is free to advise our top management or to notify our supervisory bodies.

## 4 Definitions

**Complaints** Formal (written) and/or informal (verbal) expressions of dissatisfaction regarding the performance of TÜV Rheinland Group in relation to its 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 TÜV Rheinland Group and the project participant (PP) regarding TÜV Rheinland Group's recommendation and/or opinions/decisions made at various stages during the validation and/or verification/certification functions.

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

## 5 Responsibilities

The DOE Manager, Carbon Services is responsible for determining the nature of complaints/disputes, assigning related resources for handling, and verifying the effectiveness of complaint and dispute handling.

The Management Representative for Quality is responsible in case of appeal, or if a complaint/dispute is about issues the DOE Manager, Carbon Services is personally involved in.

An independent Appeals Review Board (ARB) is responsible for technical decisions on appeals.



## 6 Procedure

### 6.1 Complaints/disputes

We accept written complaints/disputes, which should include the reasons, applicable requirements, and substantiation. Communication by electronic media is acceptable but should be not anonymous.

#### **Criteria for determining the validity of a complaint/dispute**

The complaint /dispute must relate to issues under the authority of the DOE/AIE, including but not restricted to: CDM/JI validation and verification processes and decisions, financial issues, professional conduct, discrimination, in case of dispute also procedures, methodologies and criteria of judgment.

#### **Handling of a complaint / dispute**

Customer Service Center receives, acknowledges receipt, forwards, and coordinates the complaints/disputes. A complaint that could result in monetary damages or could damage the image of our organization must be reported immediately to Division Head and Greater China Management Board.

The team leader records any complaints/disputes that happen during the validation/verification process and did not reach agreement. Together with justification of both parties the team leader submits this to the DOE Manager, Carbon Services.

We process complaints/disputes according to the documents:

- Process Description “Handling of Customer Voice”
- Work Instruction “Handling of Customer Voice”
- Work Instruction “Control of Nonconforming Work and Corrective Action”

Upon receiving a complaint / dispute, the DOE Manager, Carbon Services acknowledges to the related parties within 15 workdays. Acknowledgement shall include a preliminary assessment of validity, a statement of whether or not a dispute will be investigated

DOE Manager, Carbon Services informs the complainant / disputant about progress and results, up to formal notice of the end of the handling process. If the complaint/dispute is assessed as invalid, the DOE Manager, Carbon Services states the reason for refusal to the complainant/disputant.

The DOE Manager, Carbon Services will invite opinions from the parties involved, make an informed decision and propose a course of action on how to resolve the situation. This may include audio conferences to hear parties involved.

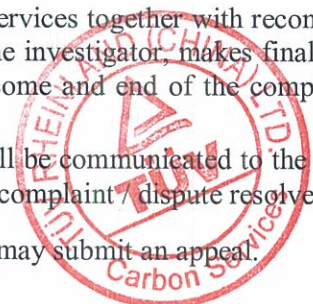
Where a dispute is considered valid, an investigation shall be carried out. DOE Manager, Carbon Services will appoint a person or a team to conduct the investigation. Appointed investigators shall be different from those who carried out the validation or verification and certification activities. The progress in resolving the dispute shall be communicated to the dispute related parties as they request.

Investigators shall collect related information and review justifications from related parties. If the dispute reveals the CDM/JI requirements were not being followed, the investigator shall determine the causes. In case there is a deficiency in requirements or guidelines the investigator shall determine the need for further document preparation.

Investigators shall present their findings to the DOE Manager, Carbon Services together with recommendations for appropriate actions, if any., who will review the presentation from the investigator, makes final decision on the resolution of the dispute and informs the related parties of the outcome and end of the complaint/dispute handling process.

At the end of the complaint / dispute handling process the resolution shall be communicated to the complainant and, if involved, to the client. If no further issues arise, we will deem the complaint / dispute resolved.

If no agreement can be reached on a dispute, the complainant / disputant may submit an appeal.



## 6.2 Appeals

A party requesting reconsideration of a decision (the appellant) is asked to submit the appeal in writing within 60 workdays after the appellant's acknowledgement of the related decision. Appeals should be accompanied by documentation of evidence.

Once received, we open a corrective action, documenting the appeal.

We keep the appellant informed throughout the process of resolving the appeal.

At any step in the process the client may formally present its case.

### **Criteria for determining the validity of an appeal**

The appeal must relate to decisions made to issues under the authority of the DOE/IE, including but not restricted to: CDM/JI validation and verification processes and decisions on the assessed project activity, decisions on refusal of validation/verification/certification application, decisions on discontinuing validation/verification.

### **Handling of an appeal**

Customer Service Center receives, acknowledges receipt, forwards, and coordinates the appeals. An appeal that could result in legal action or damage to the image of our organization must be reported immediately to the Division Head and Greater China Management Board.

The first step is for the Management Representative for Quality to work with all the parties concerned to resolve the appeal, documenting the process and progress following the Work Instruction "Control of Nonconforming Work and Corrective Action" If it can be resolved in this fashion, the corrective action is completed and the appeal closed.

The second step, if the appeal cannot be resolved as above, is to create an Appeals Review Board (ARB) of three people not previously involved in the project in question. The Chief Technical Officer or President/CEO shall appoint people, who have not participated in the project decision making process, to constitute the ARB, which must include an impartial Team Leader or Technical Reviewer competent for the applicable Technical Area, and the Management Representative for Quality. The ARB, working with all the parties concerned, is tasked to review and resolve the appeal. The ARB has to reach a decision within 10 working days. The appellant has the right to reject the ARB or its decision.

Technical Support prepares relevant materials and submits them to the Appeals Review Board.

The third step, if the appeal cannot be resolved above and the appellant wishes to pursue the appeal further, results in the matter being transferred to the Steering Committee. The Steering Committee, working with all the parties concerned, is tasked to resolve the appeal and must reach a final decision in within 30 working days.

Once the appeals process is completed, a written statement of the appeal findings including the reasons for the decisions reached is provided to the appellant and if involved, to the client, by the Management Representative for Quality .

**Option** If not satisfied with the decision of the Appeals Review Board or the Steering Committee, stakeholders have the option to complain to the accreditation body (UNFCCC Executive Board / Accreditation Panel) via <http://cdm.unfccc.int/>

A more detailed procedure of internal processing is available to stakeholders upon request.

## 7. Records

Records of handling appeals, complaints, disputes and incidents shall be kept as Quality Records in Customer Voice Database for 10 years.



**Revision History:**

SL No	VERSION	REASON FOR CHANGE	APPROVAL
1	00	Transfer of DOE office and to have more insight on the project service requirements	Mr. Praveen Nagaraje Urs Dated 01/11/2011

*The initial version is considered as "00" and further changes to this version will continue to be in order of "01..."*

