

<i>Guidelines</i>		
Procedure for the Investigation and Resolution of Complaints and Appeals	28 February 2008	GL 1/2008

**PROCEDURE FOR THE INVESTIGATION AND RESOLUTION
OF COMPLAINTS AND APPEALS**

1. Objective

- 1.1 The objective of this guideline is to describe the responsibilities and actions of the MTCC as the National Governing Body (NGB) in relation to the investigation and resolution of complaints and appeals received in connection with the Malaysian Timber Certification Scheme (MTCS).
- 1.2 MTCC regards all complaints and appeals regarding the MTCS as opportunities to improve its services and implement corrective and preventive measures. MTCC is committed to monitoring and achieving continual improvement in its activities related to the MTCS.

2. Scope

- 2.1 This guideline details the procedure for the investigation and resolution of complaints and appeals to the MTCC which concern decisions and/or activities of the MTCC.
- 2.2 Complaints and appeals relating to the decisions and activities of a certified entity, an accredited certification body or an accreditation body shall be dealt with by the complaints and appeals procedures of the relevant accredited certification body, accreditation body, or by the International Accreditation Forum (IAF), respectively.

3. Definitions

Complaint

- 3.1 Written expression of dissatisfaction (other than appeal) by any person or organisation which relates to the activities of the MTCC.

Appeal

- 3.2 Written request by a party (the appellant) for reconsideration of any decision made by the MTCC Board of Trustees, or Chief Executive Officer (CEO) where the appellant considers that such a decision have been taken in breach of the MTCC's requirements or procedures.

Note: Such adverse decisions may include:

- Refusal of application for usage of the MTCC Logo
- Refusal of application for the PEFC notification

4. Complaints

- 4.1 Complaints submitted shall be limited to concerns or issues regarding the MTCC activities related to its role as the NGB for the MTCS.
- 4.2 It is the responsibility of the complainant to submit written information supporting the complaint which can be verified as accurate and correct through an independent source.
- 4.3 Complaints submitted regarding a specific certified entity shall be referred to the relevant certification body's own complaints/appeals resolution procedure.
- 4.4 Complaints submitted regarding a specific accredited certification body shall be referred to the relevant accreditation body's own complaints/appeals resolution procedure.
- 4.5 Complaints submitted regarding a specific accreditation body shall be referred to the International Accreditation Forum's complaints/appeals resolution procedure (www.iaf.nu).
- 4.6 Regardless of the outcome of any complaint, the complainant and MTCC will each meet their own costs.
- 4.7 It is expected that any formally accepted complaint, not requiring an on-site investigation, should normally be resolved within 3 months.

5. Appeals

- 5.1 Appeals submitted to MTCC shall be limited to the decisions made by the MTCC Board of Trustees or the CEO, except where decisions are a result of a resolved appeal.
- 5.2 It is the responsibility of the appellant to submit written information which can be verified as accurate and correct through an independent source.
- 5.3 Regardless of the outcome of any appeal, the appellant and MTCC will each meet their own costs.
- 5.4 It is expected that any formally accepted appeal, not requiring an on-site investigation, should normally be resolved within 3 months.

6. Complaints And Appeals Acceptance

- 6.1 All complaints and appeals shall be addressed in writing to the MTCC CEO, with a copy to the MTCC Chairman.
- 6.2 The CEO decides on formal acceptance:
 - a) of the complaint and its further investigation provided that the complaint is in accordance with clause 4.1 and the information supporting the complaint can be authenticated as being in compliance with clause 4.2,
 - b) of the appeal and its further investigation provided that the appeal is in accordance with clause 5.1 and the information supporting the appeal can be authenticated as being in compliance with clause 5.2.

6.3 The CEO shall without delay:

- a) acknowledge to the complainant/appellant in writing, the receipt and acceptance of the complaint/appeal, or rejection of the complaint/appeal with justification if it is not in accordance with clause 4.1 or 4.2 (in the case of a complaint) or clause 5.1 or 5.2 (in the case of an appeal).
- b) provide the complainant/appellant with details of the MTCC's complaints and appeals procedure to ensure that they are clearly understood and, where appropriate, refer the complainant/appellant to other parties responsible for resolving the matter as indicated in clauses 4.3 – 4.5.

7. Complaint Investigation And Resolution Process

7.1 Where the complaint relates to MTCC, the MTCC Chairman shall assign an ad-hoc Task Force (TF), comprising one or more persons, to investigate the complaint. The investigator(s) shall have no vested, or conflict of, interest in the complaint.

7.2 The TF shall undertake a thorough investigation and seek a resolution. The TF shall submit in a timely matter, a detailed written report to the MTCC Chairman and the CEO who will present it to the Board of Trustees. The report shall include a statement indicating whether or not the complaint has been substantiated and make recommendations on resolving the complaint.

Note: It is expected that complaints not requiring an on-site investigation should normally be investigated by the TF within 1 month.

7.3 The Board of Trustees shall approve or disapprove the conclusions of the report, including recommendations or remedial actions.

7.4 The CEO shall inform the complainant and other interested parties about the outcome of the complaint resolution process, in writing.

8. Appeal Investigation And Resolution Process

8.1 The MTCC Chairman shall assign an ad-hoc TF, comprising one or more persons, to investigate the appeal. The investigator(s) shall have no vested, or conflict of, interest in the appeal and shall not be involved in the appealed decision.

8.2 The TF shall proceed with a thorough investigation of the appeal and submit, in a timely manner, a detailed written report to the MTCC Chairman and the CEO who will present it to the Board of Trustees. The report shall include a statement indicating whether or not the appeal has been substantiated and make recommendations on resolving the appeal.

Note: It is expected that appeals not requiring an on-site investigation should normally be investigated by the TF within 1 month.

8.3 The Board of Trustees shall make a final decision on the appeal based on the TF report.

8.4 The CEO shall inform the appellant and other affected parties about the outcome of the appeal resolution process, in writing.

Malaysian Timber Certification Scheme (MTCS)

Flow Chart for Procedure for the Investigation and Resolution of Complaints and Appeals

