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Enabling
Sustainability

CORPORATE MANAGEMENT PROCEDURE 08
COMPLAINTS, APPEALS AND GREVIENCES

Version 3

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Comments/Abstract

This procedure documents the steps to be taken when a complaint or grievance against the organisation, the standard, or the certification process is received including internal complaints. It does not cover internal disputes or internal complaints regarding behaviour or interpersonal conflict. An Appendix provides additional procedures for the investigation and handling of allegations of improper conduct and logo misuse.

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3.0	Governance Committee-include new Appendix 3 for improper conduct and logo misuse	7/12/2021

Table of Contents

Purpose **4**
Scope **5**
Definitions **6**
Complaints Procedure **7**
1.1 Principles 7
1.2 Process 7
1.2.1 Receipt, acknowledgement and referral 7
1.2.2 Assessment – Stream 1-Complaints regarding the organisation 9
1.2.3 Assessment – Stream 2-Complaints regarding the Standard 9
1.2.4 Assessment – Stream 3-Complaints against the certification process, certification bodies, and/or certified organisations 10
1.3 Substantiating a Complaint, Appeal or Grievance 11
1.4 Notification of outcomes 11
1.5 Appeals 11
1.5.1 Appeals against Activities from Stream 1 and 2 11
1.5.2 Appeals against Activities from Stream 3 12
1.6 Flow chart of Complaints, Appeals and Grievance process 12
Timeframes **12**
Records **14**
Appendix 1 – Standard Email Templates **15**
A.1 Acknowledgement Email – External Complaint, Appeal or Grievance 15
A.2 Acknowledgement Email – Stream 1 Complaint, Appeal or Grievance 16
A.3 Acknowledgement Email – Stream 2 Complaint, Appeal or Grievance 17
A.4 Acknowledgement Email – Stream 3 Complaint, Appeal or Grievance 18
A.5 Complaint Enquiry or Request for additional information Email 19
A.6 Investigation Ongoing Email 21
Chief Executive Officer **21**
Responsible Wood **21**
Appendix 2- Flow chart of the certification process, organisations and responsibilities for complaints **22**
Appendix 3- Improper Conduct and Logo Misuse-Procedures for Investigation and Handling **23**

Purpose

Responsible Wood takes all complaints seriously and invites feedback from concerned parties. Responsible Wood is committed to the highest levels of transparency and is committed to ensure that all matters of concern are fully investigated and wherever possible fully resolved to the satisfaction of all parties.

Responsible Wood recognises that disagreements may arise related to the standards, the management and implementation of the Certification Scheme or the Responsible Wood organisation. The purpose of this procedure is to outline the type of grievances and complaints which may occur and the steps required to resolve them to ensure that they are dealt with effectively and within a timely fashion.

Scope

This procedure is used for all Complaints, Appeals or Grievances within the Responsible Wood scheme and is applicable to activities of Responsible Wood in Australia and related to PEFC in New Zealand, but does not cover internal staff complaints, breaches of workplace policy or interpersonal conflict.

Complaints fall into one of three streams, as outlined below:

1. Complaint, Appeal or Grievance against the Responsible Wood Organisation. This can include operations in New Zealand covered by the New Zealand Forest Certification Association. (Stream 1)

2. Complaint, Appeal or grievance against the Responsible Wood Standard. (Stream 2)

3. Complaint, Appeal or grievance against the Responsible Wood Certification Scheme. (Stream 3)

At times, Complaints, Appeals or Grievances may be of a serious nature with legal or significant commercial implications. This can include matters that may relate to fraud, illegal activity, false and misleading statements, improper conduct, malicious activities, misuse of Logos and Certificates or actions, statements or deeds with potential to bring the Responsible Wood Certification Scheme or the organisation into disrepute. Procedures for the investigation and handling of such matters are provided in Appendix 3-Improper Conduct and Logo Misuse-Procedures for Investigation and Handling.

Definitions

Term	Definition
Complainant	Person, group of persons or organisation filing a complaint, appeal or grievance.
Complaint	An expression of discontent or dissatisfaction by any person, group of persons or organisation, relating to the Responsible Wood Organisation, Standard or Scheme. Complaints can be substantive (technical) or procedural nature.
Appeal	A request made to Responsible Wood for a decision or judgement to be reviewed. Generally, procedural in nature, and can be launched as a result of decisions which the appellant considers to be procedurally or factually in error. Appeals can include whether a technical issue was afforded due process.
Grievance	A complaint or resentment, as against an unjust or unfair act.
Stream 1	Includes the Responsible Wood Organisation, including operations in New Zealand covered by the NZ Forest Certification Association.
Stream 2	Includes the Standards (AS4707; AS4708, NZ AS 4708), the standard development process, standard reference committee and technical content.
Stream 3	Includes complaints about a certification body, certified organisation, accreditation body, auditors, and logo use.

Complaints Procedure

1.1 Principles

1. Responsible Wood is committed to effective and efficient complaints and grievance handling, which contribute to continual improvement of the Responsible Wood System;
2. All complaints or grievances will be dealt with fairly, transparently and in a timely manner, see Timeframes under Clause 1.2;
3. Complainant's names will be published on the Grievance and Complaints Register unless they request anonymity;
4. Complainant's will be provided with information on the progress of their Complaint, Appeal or Grievance at the various steps in the process;
5. All complainants have the right of appeal should they not be satisfied with the investigation and findings relating to their complaint;
6. Responsible Wood will not address a Complaint, Appeal or Grievance where legal action is being taken; and
7. Responsible Wood will endeavour to ensure that Complaints, Appeals or Grievances are resolved to the satisfaction of all parties.

1.2 Process

1.2.1 Receipt, acknowledgement and referral

The Complaint, Appeal or Grievance should identify, where possible, the complainant and the complainant's contact details. If the complainant is anonymous, the process of substantiation and investigation (below) will be followed, however the applicable notification stages to the complainant (as identified below) do not apply.

Issues will be recorded in the Grievance and Complaints Log and Registers, within three working days of receipt, by Chief Executive Officer or delegate in the following format:

Table One: Complaints Register

Field Name	Comments
Item # No/YY	Issue number recorded in the format Sx-nnyy Sx = S1, S2, or S3 for Streams 1, 2, or 3 nn = ascending number for that year, numbering starts at 01 in next calendar year yy = Year
Date of Register/ Initial contact date	dd/mm/yy
Initiator Name and Contact Details	All details available
Issue Summary	Key points of the complaint or grievance
Response/Action Date	dd/mm/yy
Agreed Timeframe for Resolution and JAS-ANZ referral date*	dd/mm/yy -resolution date as provided by the Certification Body and JAS-ANZ referral date-three months following.
Allocation Stream	1, 2, or 3
Ongoing or Closed	Ongoing or Closed

*Required where complaints are made to a Certification Body (See 1.2.4).

1. Within three (3) working days of receipt of the Complaint, Appeal or Grievance, the Chief Executive Officer must conduct a preliminary substantiation review of the Complaint, Appeal or Grievance. This is to ensure it includes sufficient objective information to substantiate the matter, allowing for a detailed assessment and investigation to be undertaken. Complaints or grievances based on hearsay will require substantiation by the Chief Executive Officer prior to being accepted. (See Substantiating a Complaint, Appeal or Grievance Clause 1.3).
2. The Chief Executive Officer will either accept (progress forward), request more information (write to the complainant) or reject (advise complainant) the Complaint, Appeal or Grievance. Where a complaint is rejected, the complainant will be provided with the reason why.
3. The Chief Executive Officer or delegate will send the complainant acknowledgement of receipt of the Complaint, Appeal or Grievance within five (5) working days. See Appendix 1.
4. The Chief Executive Officer will allocate the Complaint, Appeal or Grievance to a stream.

Stream 1	Stream 2	Stream 3
An external complaint against the Responsible Wood Organisation	Complaint against the Standards *Examples* → Stds Dev. Process → Stds Ref. Committees → Standards Technical content → SRB Chair → SRB Member	Complaint against the Certification Schemes *Examples* → Certification Bodies → Certified Organisations → Accreditation Body → Certifiers/Auditors → Certification process → Logo Use

5. The Chief Executive Officer will direct the Complaint, Appeal or Grievance to the entity which has responsibility for the particular issue. See below.

Stream 1	Stream 2	Stream 3
The Responsible Wood Office - Email: info@responsiblewood.org.au or mail to: Responsible Wood Attn: Chief Executive Officer 30 Boothby St, KEDRON, QLD 4031	**In Australia**- Responsible Wood Email: standards-revision@forestrystandard.org.au or mail to: Responsible Wood Att: Chief Executive Officer 30 Boothby St, KEDRON, QLD 4031 **In New Zealand** via the NZFCA at: Email: info@pefc.org.nz	In the first instance to - Email: info@responsiblewood.org.au Responsible Wood needs to identify the certified organisation, the Certification Body and provide advice on how to lodge the complaint. Refer to Responsible Wood Registers on www.responsiblewood.org.au Where necessary, Responsible Wood will provide assistance to refer the matter to JAS-ANZ on: The Manager Accreditation Services of JAS-ANZ Email: admin@jas-anz.com.au Calls made to Responsible Wood will be directed to the certified organisation, its certification body or/and JAS-ANZ.
Resolving a complaint against Responsible Wood or the NZFCA. **See 1.2.2**	Resolving a Technical Complaint about a Standard, its' content and/or the Standards Development Process. **See 1.2.3**	Resolving a Complaint against Responsible Wood Certification. **See 1.2.4**

6. Following the assessment, if the Chief Executive Officer believes that the Complaint, Appeal or Grievance needs to be referred to another entity, the Chief Executive Officer will advise the complainant within two (2) weeks of receipt.

1.2.2 Assessment – Stream 1-Complaints regarding the organisation

External Responsible Wood Complaints, Appeals or Grievances can include but are not limited to complaints against Responsible Wood, staff, directors or the operation of Responsible Wood.

- For complaints regarding the organisation, a Complaints Panel will be convened, on a temporary basis.
- The Complaints Panel will be comprised of a minimum of three (3) individuals that are free from conflicts of interest.

  The Complaints Panel will typically comprise the Chairperson, or a delegated Director if the Chairperson has a conflict of interest. The Chief Executive Officer, or a delegated Director if the Chief Executive Officer has a conflict of interest. Plus one or two (2) Directors of Responsible Wood.

  In circumstances where 3 panel members without a conflict of interest are unable to be drawn from within the organisation, panel members may be sought from competent bodies such as PEFC National Governing Bodies, Standards Reference Committees or JAS-ANZ.
- The Complaints Panel will be provided with access to the information necessary to perform a competent investigation. This will include the substance of the complaint or grievance, the results from internal investigations and where necessary, access to Responsible Wood staff, Directors and contractors.
- The Complaints Panel will convene to consider the issue and provide a recommendation to the Responsible Wood Board.
- The recommendation will be forwarded to the Board of Responsible Wood for review and decision. A formal response will be forwarded to the complainant following the Board's decision.

Note: Where a complaint relates to activities in New Zealand, it may be appropriate to include representatives of New Zealand based organisations such as the New Zealand Forest Certification Association on the Complaints Panel.

1.2.3 Assessment – Stream 2-Complaints regarding the Standard

Note: This procedure is applicable only to Standards developed by Responsible Wood. . For Standards developed by other bodies such a Standards New Zealand i.e. NZ AS 4708, such complaints must be referred to Standards New Zealand or the New Zealand Forest Certification association.

Complaint against the Standard setting procedures or complaint against a decision taken during the development of the standard

- In terms of the technical content of the AFS or CoC Standard, Responsible Wood will convene, on a temporary basis, a Complaints Committee which will be comprised of a member of the Standards Reference Body (SRB) as appropriate, from each of the main sectors represented on the SRB. The Complaints Committee will be chaired by the relevant SRB Chairperson.
- The Complaints Committee will be provided with the substance of the complaint or grievance, convene to consider and discuss whether the issue should be referred to the next full review of the standard, or requires the development of an interim interpretation of the Standard.
- The outcome will be forwarded to the Board of Responsible Wood for comment on any recommendation from the Complaints Committee.
- The Board will make a final decision on behalf of Responsible Wood and a formal response will be forwarded to the complainant.
- All matters raised in this context will be registered and referred to the full Standards Reference Body at the next review of the standard.

Complaint against a Standards Reference Body, SRB Member, SRB operations or the SRB Chair or complaint against a decision taken by the SRB, a member, or the chair

- In terms of the Standards Reference Body activities the Standards Development Organisation will convene, on a temporary basis, an independent Complaints Committee which will be comprised of a member of the Standards Development Organisation Board as appropriate, and will be chaired by the Standards Development Organisation Chairperson.
- The Complaints Committee will be provided with the substance of the complaint or grievances and convene to consider and discuss whether the issue should be referred to the next Board meeting, or requires an action.
- The outcome will be forwarded to the Board of Standards Development Organisation for a comment on any recommendation from the Complaints Committee.
- The Board will make a final decision on behalf of Standards Development Organisation and a formal response will be forwarded to the complainant.
- All matters raised in this context will be registered and referred to the full Standards Reference Body at the next meeting of the SRB.

1.2.4 Assessment – Stream 3-Complaints against the certification process, certification bodies, and/or certified organisations

Certification against the Australian Standards for Forest Management AS 4708 and Australian Standards for Wood and Wood Products Chain of Custody AS 4707 is performed by independent third party Certification Bodies.

Responsible Wood has no influence or authority over the independent process or practices within the Certification Scheme, other than monitoring the outcomes and timeliness of investigations conducted by independent bodies on complaints and grievances which they receive...

A flow chart outlining the key processes and responsibilities relating to the Standards Writing, Accreditation and Certification Processes is outlined in Appendix 2. This is a useful tool and may be provided to complainants to better explain the parties involved and the Certification Processes.

The complainant will be advised to lodge their complaint with the certified organisation to which a complaint relates and the certification body responsible for auditing the certified organisation. Responsible Wood will assist in providing contact details for the Certification Body and advising the complainant on processes for the lodging a compliant with the Certification Body. Where confirmation is received that the compliant has been lodged, the Certification Body will provide their intended timeframe for the resolution of the complaint to Responsible Wood for documenting in the Complaints Register.

Responsible Wood will monitor the progress of the compliant with the Certification Body. Should the intended timeframe for resolution be exceeded by 3 months, the complaint will be referred to the Accreditation Body.

In all cases, if the Complainant has not received satisfactory response from the above they are to then invited to contact the Accreditation Body responsible for the Certification Body.

Refer to the Responsible Wood Website, www.responsiblewood.org.au for the following registers:

- List of Certified Organisations and their Certification Bodies
- List of Certification Bodies and their Accreditation Body

For additional information on Accreditation Bodies go to the International Accreditation Forum website www.iaf.nu. JAS-ANZ is the Accreditation Body for Certification Bodies operating in Australia and New Zealand.

In circumstances where Responsible Wood becomes aware of a serious matter with potential to bring the certification scheme into disrepute, and in the absence of any other direct action by the parties involved, Responsible Wood Board may lodge a complaint with the Certification or Accreditation Body.

1.3 Substantiating a Complaint, Appeal or Grievance

When a Complaint, Appeal or Grievance is received, the Chief Executive Officer will perform a review to substantiate the Complaint, Appeal or Grievance.

To allow substantiation the following may be considered:

- Photographs;
- Dates and times of events;
- Names and details of people involved; or
- Other evidence including independent reports, test results, reports from independent experts

If the complainant provides hearsay evidence or no evidence in their Complaint, Appeal or Grievance, the Chief Executive Officer has two options:

1. Request the complainant provide additional information (See Appendix 1).
2. Test the validity of the Complaint, Appeal or Grievance in another manner to give confidence as to whether there is any verifiable evidence to be used in an investigation.

If a Complaint, Appeal or Grievance is substantiated, it will proceed to referral within the appropriate stream. If it is not substantiated, the complainant will be advised in writing (See Appendix 1) within five (5) working days of receipt of the Complaint, Appeal or Grievance.

1.4 Notification of outcomes

In all cases, the complainant will be notified of the outcome of the investigation within two (2) weeks of the investigation being concluded. The complainant will have the right to appeal the outcome of the investigation within 20 working days of being advised. If the complainant lodges an appeal, the process identified in Section 4.5 Appeal, will be implemented.

1.5 Appeals

Responsible Wood will endeavour to ensure that complaints are resolved to the satisfaction of all parties. However, Responsible Wood will not address a Complaint, Appeal or Grievance where legal action is being taken so as to not unduly influence, circumvent or become involved in legal action. Once legal action is resolved, including any appeals, the complainant may progress with the Complaint, Appeal or Grievance, Responsible Wood will assess using the process outlined above, however, will not contravene any findings handed down by a court of law.

All complainants have the right of appeal should they not be satisfied with the investigation and findings relating to their Complaint or Grievance. The appeals handling process is identical to that identified above, except that investigations and decisions shall be handled by individuals or organisations not involved in the original investigation and decision making processes. This will be determined by the Chief Executive Officer and the Chairman of the Board.

The independent appeals committee shall review the original investigation and decision making processes. Responsible Wood will provide assistance to the complainant and guide them through the appeals process to ensure that their concerns are respected, understood, investigated and appeals proceed in a timely matter.

Note: Complaints relating to certification activities are outside the responsibility of Responsible Wood and will be investigated by independent Certification Bodies and if necessary the Australian Accreditation Body- JAS-ANZ.

1.5.1 Appeals against Activities from Stream 1 and 2

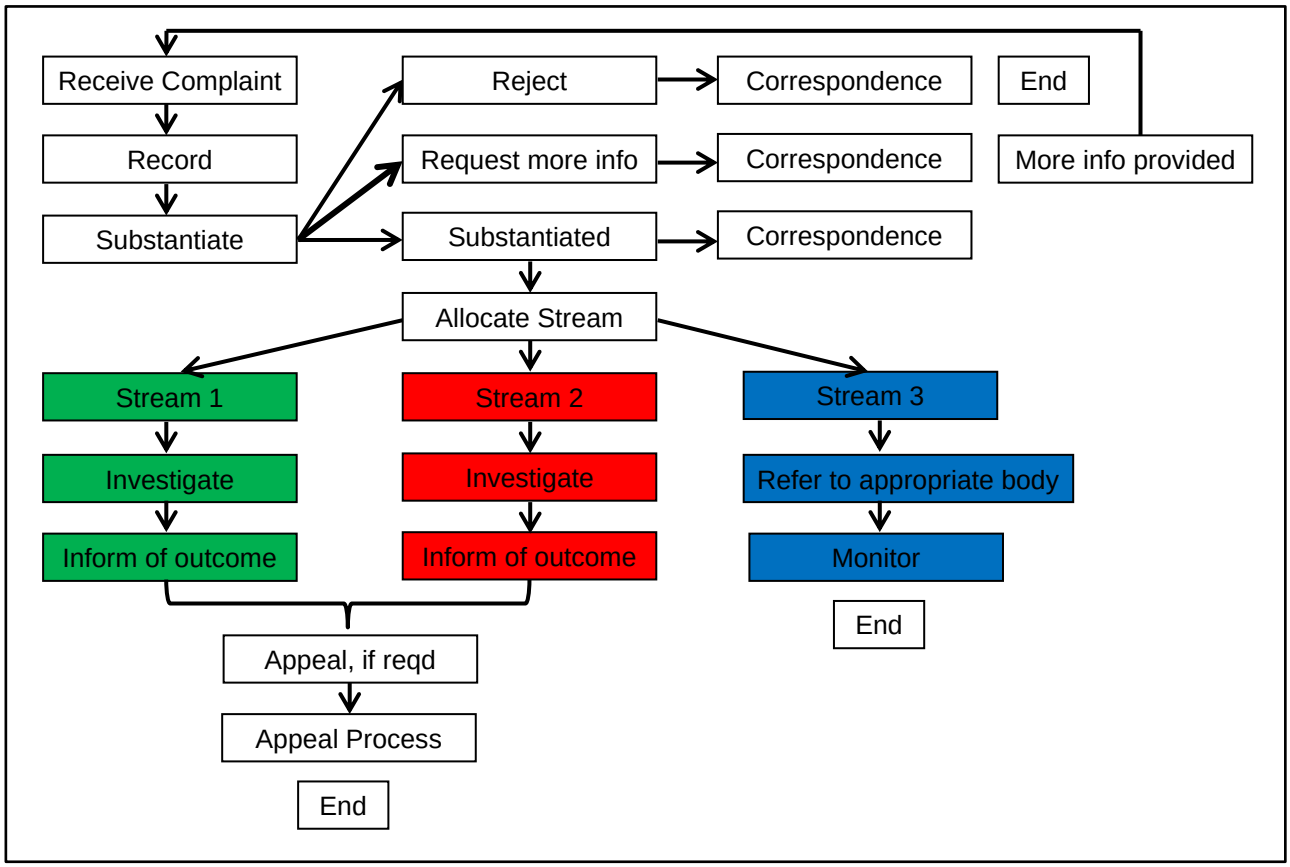
Where an appeal is lodged against processes and decisions made in respect to Streams 1 and 2, an Appeals Committee will be established. The Appeals Committee shall represent as closely as possible the structure of the Complaints Committees detailed above for Streams 1 and 2, except that representatives shall not have served on the original Complaints Committee. This, at times, may require expertise to be co-opted from outside Responsible Wood.

The Appeals Committee shall review the investigations and decision making processes related to the original complaint. The appellant shall be notified in writing of the outcome of the appeal.

1.5.2 Appeals against Activities from Stream 3

Activities allocated under Steam 3 are outside the responsibility of Responsible Wood. Where a complainant is dissatisfied with the outcome of their complaint lodged with the relevant Certification Body or JAS-ANZ, Responsible Wood is unable to directly influence the outcome. However, Responsible Wood welcomes feedback and will raise the concerns of the complainant directly with the relevant body.

1.6 Flow chart of Complaints, Appeals and Grievance process



Timeframes

Timeframe	Actions Taken	
Within 3 working days	Complaint, Appeal or Grievance recorded in the Complaints Register.	
Within 3 working days	Conduct preliminary substantiation assessment.	
Within 5 working days	Acknowledge receipt of the Complaint, Appeal or Grievance (if applicable). Email template 10.1	
Within 5 working days	Request additional information about the Complaint, Appeal or Grievance from the Complainant (if applicable). E-mail template 10.5	
Within 5 working days	Advise the complainant that the Complaint, Appeal or Grievance was unsubstantiated and why (if applicable)	
Within 5 working days of allocation	Standard e-mail response sent to complainant as per Appendix	
	Stream 1 – Complaint or grievance against the organisation	E-mail template A.2
	Stream 2 – Complaint or grievance against the standard, the standard setting process, the SRB.	E-mail template A.3
	Stream 3 – Complaint or grievance against certified organisations, certification bodies.	E-mail template A.4
	Complaint where it is not possible to initially assign to a stream	E-mail template A.5
Within 2 weeks of investigation being completed	Advise complainant of the outcome of the investigation.	
Within 20 days of advising complainant	Complainant has the right to Appeal outcome of investigation.	

Timeframe	Actions Taken
Within 60 working days of appeal being lodged	Assess Appeal and advise complainant of the outcome of the Appeal

Records

All documentation associated with a Complaint, Appeal or Grievance will be kept for a period of five (5) years. This includes, but is not limited to:

- Correspondence
- Evidence
- Investigation notes
- Independent expert information
- Supporting Documents
- Responsible Wood Complaints Register.
- Records and correspondence related to complaints.

APPENDIX 1
RESPONSE TEMPLATES

Appendix 1 – Standard Email Templates

A.1 Acknowledgement Email – External Complaint, Appeal or Grievance

Purpose

To be used when a Complaint, Appeal or Grievance is received and has been substantiated.

Text of e-mail to be sent

Dear <name>

Thank you for your correspondence of <insert date>. We acknowledge receipt of your Complaint/Appeal/Grievance.

Responsible Wood recognises that disagreements may arise from time to time in the management of the Responsible Wood Certification Scheme.

We are committed to effective and efficient complaints and grievance handling procedures which contribute to the continual improvement of Responsible Wood and the Responsible Wood Certification Scheme.

A Complaints Panel has been formed and your Complaint/Appeal/Grievance is currently being investigated. We will advise you of the outcome of that investigation within two (2) weeks of the investigation being completed.

You may be invited to submit additional information by the Complaints Panel during this time.

Yours faithfully,

Chief Executive Officer Responsible Wood

A.2 Acknowledgement Email – Stream 1 Complaint, Appeal or Grievance

Purpose

To be used where a complaint or grievance is received against the organisation (Stream 1).

Text of e-mail to be sent

Dear <name>

Thank you for your correspondence of <insert date>.

Responsible Wood recognises that disagreements may arise from time to time in the management and operations of Responsible Wood Standards.

We are committed to effective and efficient complaints and grievance handling procedures which contribute to the continual improvement of Responsible Wood and the standards development processes.

A Complaints Panel has been formed to investigate this issue. Following these investigations, you will receive a formal response within two (2) weeks of the investigation being completed.

You may be invited to submit additional information by the Complaints Panel during this time.

Yours faithfully,

Chief Executive Officer Responsible Wood

A.3 Acknowledgement Email – Stream 2 Complaint, Appeal or Grievance

Purpose

To be used where a complaint or grievance is received against the standard, the standard setting process, or the Standards Reference Body (Stream 2)

Text of e-mail to be sent

Dear <name>

Thank you for your correspondence of <insert date>.

Responsible Wood as an accredited Standards Development Organisation Wood recognises that disagreements may arise from time to time in the management of the Australian Forestry Standards and the standards development processes.

We are committed to effective and efficient complaints and grievance handling procedures which contribute to the continual improvement of our standards development processes.

A Complaints Panel has been formed to investigate this issue and make recommendations for actions to be taken.

Following these investigations, you will receive a formal response within two (2) weeks of the investigation being completed.

You may be invited to submit additional information by the Complaints Panel during this time.

Yours faithfully,

Chief Executive Officer Responsible Wood

A.4 Acknowledgement Email – Stream 3 Complaint, Appeal or Grievance

Purpose

To be used where a complaint or grievance is received against certified organisations, certification bodies, etc. (Stream 3).

Text of e-mail to be sent

Dear <name>

Thank you for your correspondence of <insert date> and we thank-you for raising your concerns with us.

Responsible Wood takes all complaints and concerns seriously and we are committed to an effective and efficient complaints and grievance handling procedures to ensure the on-going continual improvement of Responsible Wood and the Australian Forestry Certification Scheme.

Responsible Wood recognises that disagreements may arise from time to time in the management of the Responsible Wood Certification Scheme.

From the information which you have provided, your concerns relate to the operation of the Responsible Wood Certification Scheme i.e. concern relating to Certification Bodies, Certified Organisations, an Accreditation Body, Certifiers or Auditors, or the Certification process.

Note that as Responsible Wood is not the Accreditation Body, we have limited control or influence over the independent Accreditation and Certification Process, however, we have informed the parties involved to ensure they are fully aware of your concerns and they are expecting your complaint. You should receive a response from them shortly.

Your complaint can be lodged directly with (name of Certification Body).

As previously stated, Responsible Wood takes all concerns and complaints seriously, so please feel free to contact me directly if you need any further assistance.

Further, you are welcome at any time to lodge a complaint or concern directly with the Certified Organisation or Certification Body, their details are available on the Responsible Wood Website (See Responsible Wood Registers on www.responsiblewood.org.au).

Finally, if the response you receive is unsatisfactory you are encouraged to take this matter up the Accreditation Body (JAS-ANZ). Concerns can be raised via: The JAS-ANZ website (http://www.jas-anz.com.au/complaints/)

Please feel free to contact Responsible Wood for assistance in raising this matter with the Accreditation Body JAS-ANZ.

By email: admin@jas-anz.com.au

or by mail to:

The Manager
Accreditation Services of JAS-ANZ
GPO Box 170, CANBERRA, ACT 2601

Yours faithfully,

Chief Executive Officer Responsible Wood

A.5 Complaint Enquiry or Request for additional information Email

Purpose

To be used when an enquiry is received from a person or organisation who wishes to lodge a Complaint, Appeal or Grievance; or where it is not possible to initially assign a Complaint, Appeal or Grievance to a Complaints Stream; or where further information is required.

Text of e-mail to be sent

Dear <name>

Thanks you for your correspondence of <insert date>.

Responsible Wood recognises that disagreements may arise from time to time in the management of the Australian Forestry Standards and the Responsible Wood Certification Scheme.

We are committed to effective and efficient complaints and grievance handling procedures which contribute to the continual improvement of Responsible Wood and the Responsible Wood Certification Scheme.

The purpose for this email is to ensure that your complaint or grievance is handled through the proper channels in an effective and efficient manner.

You should document your complaint or grievance as succinctly as possible and submit, with evidence (where appropriate) via the following channels.

1 - Complaint against the Responsible Wood Organisation

If you have a complaint against Responsible Wood (e.g. a Board Member, Staff Member or Responsible Wood Member), your first point of contact should be to the Responsible Wood Office

By email: info@responsiblewood.org.au

or by mail to:

Responsible Wood
Att: Chief Executive Officer
30 Boothby St,
KEDRON, QLD 4031

2 - Complaint against the Responsible Wood Standards, the standard setting process, or an SRB.

If you have a complaint against the Australian Forestry Standards or associated processes (e.g. the Standards Development processes, technical content of the standards, the operations of the Standards Reference Body, the Chair or individual members of the Standards Reference Body) your first point of contact should be to the Responsible Wood Office.

By email: info@responsiblewood.org.au

or by mail to:

Responsible Wood
Att: Chief Executive Officer
30 Boothby St,
KEDRON, QLD 4031

3 - Complaint against certified organisations, certification bodies, etc

If you have a complaint against the Responsible Wood Certification Scheme (e.g. Certification Bodies, Certified Organisations, an Accreditation Body, Certifiers or Auditors or the Certification process), this needs to be referred to the certified organisation and to their Certification Body (See Responsible Wood Registers on *www.responsiblewood.org.au*) in the first instance, in an attempt to resolve the issue.

Responsible Wood will be happy to guide you through this process to ensure your complaint is handled effectively. Please phone the Responsible Wood office on 07 3359 1758 for assistance.

When you will receive a response from the Certification Body if you feel the response is unsatisfactory there are other courses of appeal. A further complaint may be made to JAS-ANZ and can be addressed to the Manager Accreditation Services of JAS-ANZ (www.jas-anz.com.au/)

Please keep Responsible Wood informed of the progress and we will continue to facilitate the review and investigation by JAS-ANZ.

By email: admin@jas-anz.com.au

or by mail to:

The Manager
Accreditation Services of JAS-ANZ
GPO Box 170, CANBERRA, ACT 2601

Yours faithfully

Chief Executive Officer Responsible Wood

A.6 Investigation Ongoing Email

Purpose

To be sent to complainant when the Complaints panel is unable to provide an outcome of investigation within 20 working days.

Text of e-mail to be sent

Dear <name>

Thanks you for your correspondence of <insert date>.

Responsible Wood does treat all complaints and grievances seriously and immediately formed a complaints panel which is currently investigating the matter.

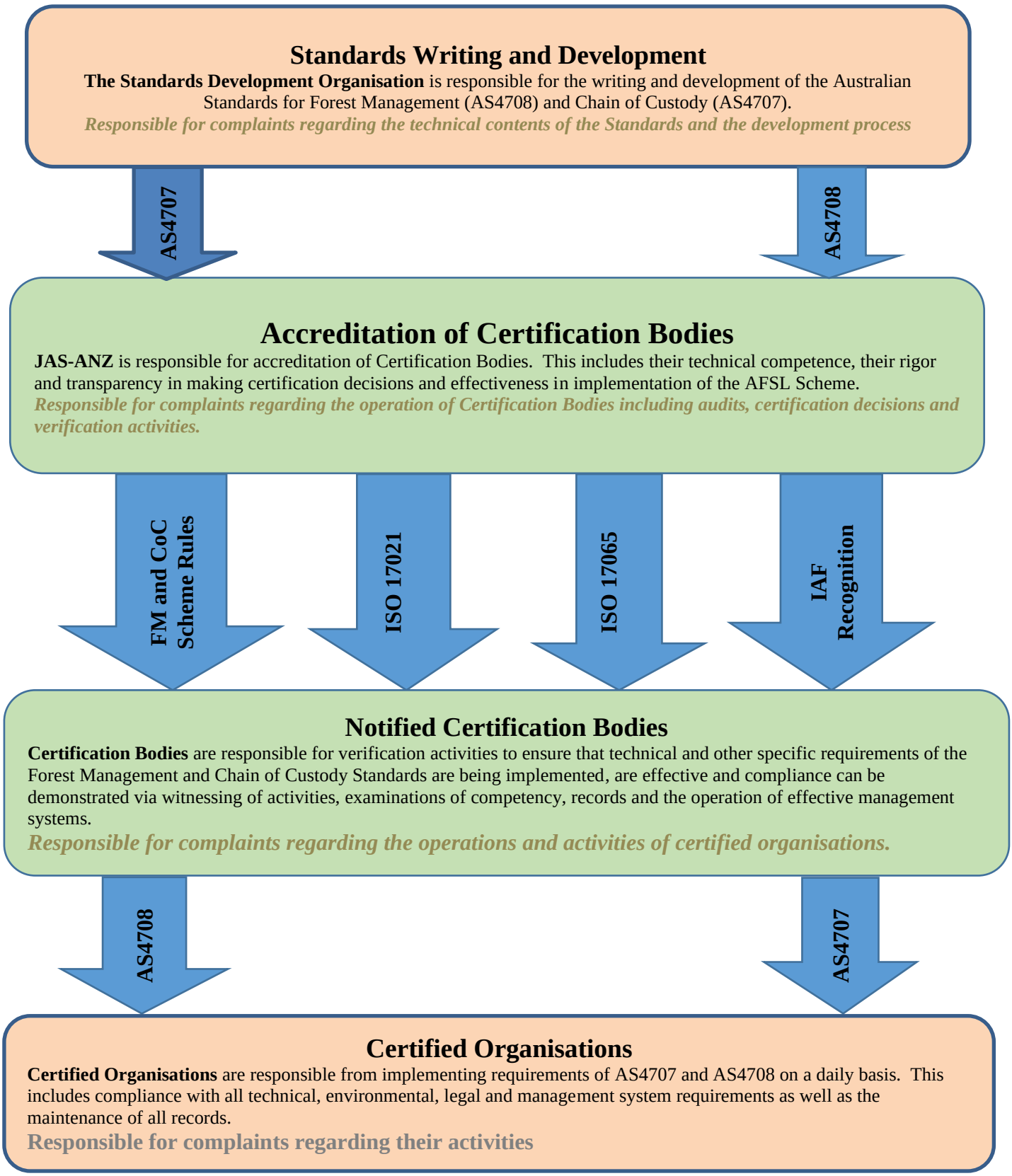
Our aim is to provide a formal response to all complaints and grievances received within 20 working days.

In this case, further time is needed to complete the investigations and provide a response. You will receive a formal response within two (2) weeks of the investigation being completed.

Yours faithfully,

Chief Executive Officer
Responsible Wood

Appendix 2- Flow chart of the certification process, organisations and responsibilities for complaints



Appendix 3- Improper Conduct and Logo Misuse-Procedures for Investigation and Handling

A 3.1 PURPOSE

This Appendix provides additional procedures for the investigation of allegations of misconduct by Responsible Wood Members and Certificate Holders. It also includes policies and procedures for the misuse of the Responsible Wood and PEFC Logos. The procedures and policies outlined in the document are to be used for, but not limited to the following circumstances.

- Misconduct by Responsible Wood Members;
- Illegal or improper activities by Responsible Wood Members or Certificate Holders;
- Activities contrary to the Responsible Wood Code of Values;
- Making false and misleading claims relating to Responsible Wood and/or PEFC Certification regarding Certificates;
- Misuse of the Responsible Wood or PEFC Logos; and
- Actions, statements or deeds that bring Responsible Wood Certification Scheme or Responsible Wood into disrepute.
- Where the principals of Sustainable Forest Management are not supported.

A 3.2 BACKGROUND

Improper actions, unethical dealings, illegal activities, false and misleading claims and misuse of Certificates and Logos are all serious issues with potential to cause significant harm to Responsible Wood, the Responsible Wood Certification Scheme and the Programme for the Endorsement of Forest Certification.

The purpose of this Appendix is to provide procedures and guidance for the investigation and remediation of such activities. Due to the potential serious nature of these activities and potential severe consequences, it is essential that clearly defined and transparent processes are followed to ensure that investigations are conducted rigorously and independently, conflicts of interest are avoided, decisions are made transparently and are based on due process, any penalties are appropriate, and that at all times the body under review is treated fairly and is offered the right of appeal.

Further, as restricting or terminating Certification or Logo Use has a significant impact on market access, Responsible Wood staff, Directors and those on review or investigation Committees must at all times be mindful of their obligations under Law where any action restricting or limiting competition is subject to the *National Competition and Consumer Act* and could be subject to legal challenge.

Further, consideration must be given to the possibility of vexatious complaints raised by competitors to intentionally inhibit or restrict market access for their own gain.

A3.3 RELATED DOCUMENTATION AND PROCEDURES

This Appendix should be read in conjunction with the following related documents and policies:

- The Australian Forestry Standard Limited Constitution;
- The Responsible Wood Code of Values;
- Responsible Wood/PEFC Notification Contract;
- Logo Use Licence Agreements;
- Responsible Wood Logo Use Manual;
- All other sections of this manual;
- ISO Guide 17065 – Conforming Assessment – Requirements for Body Certifying Products, Processes and Services.
- ISO Guide 17021- Conformity Assessment- Requirements for Bodies Providing Audit and Certification of Management Systems.

These documents establish the normative elements in respect of membership and licensee obligations. This guidance does not amend or supersede any requirements provided in these documents.

A3.4 INSTRUMENTS AVAILABLE UNDER THE RESPONSIBLE WOOD CONSTITUTION, POLICIES AND PROCEDURES

The following responses, actions and penalties for improper conduct, misuse of the RW/PEFC Logos or where the Responsible Wood Certification Scheme or Responsible Wood are brought into disrepute are available for under the Responsible Wood system.

A 3.4.1 Termination of Membership

The Constitution of the organisation contains explicit provisions for the termination of membership as detailed in the link below:

https://www.responsiblewood.org.au/wp-content/uploads/2020/08/AFS-ta-Responsible-Wood-Constitution-August-2020.pdf

In summary, the Constitution provides for the following:

1.1 Companies

Membership may be terminated by a 2/3 vote of Responsible Wood Directors voting by resolution, where the conduct of a member is such that it renders continued membership undesirable.

1.2 Individuals

In the addition to the provisions in 1.1 above, the following applies to individual members. Membership may be terminated by a 2/3 vote if Responsible Wood Directors where an individual member is convicted of an indictable offence.

A 3.4.2 Termination and Suspension of Logo Use

The Logo Use Agreement and the Responsible Wood Logo Use Manual contain provisions for suspension and termination of the Logo Use Licence.

Where Responsible Wood logo use is suspended or terminated, the use of the PEFC Logo is also likewise suspended or terminated.

Circumstances where logo use can be suspended or terminated under the Logo Use Agreement and Logo Use Rules include:

- Where the principles of Sustainable Forest Management are not supported;
- Where the organisation does not act with integrity and in good faith in accordance with the Responsible Wood Code of Values;
- Where false and misleading claims are made; and
- In the event of actions, statements or deeds which have potential to bring the Responsible Wood/PEFC Logos, the Responsible Wood Certification Scheme or Responsible Wood into disrepute.

A3.4.3 Suspension and Termination of Certification

Responsible Wood has no influence over the independent certification process or in the issue of certificates by Accredited Certification Bodies. This is to ensure impartiality and independence in certification processes including technical review, assessment, surveillance and decision making processes.

While Responsible Wood cannot influence the Certification process, Certification Bodies under their contract with Responsible Wood are required to receive and investigate complaints and grievances when referred by Responsible Wood. In addition, under a Certification Body's accreditation to ISO 17065 or ISO 17021, they are required to maintain formal procedures as detailed below:

1. For the handling of complaints including capture, investigation, review, decision making and responses to complaints.

2. Formal procedures for the termination, reduction, suspension and withdrawal of Certification and Certificates.

The Certification Body is required to perform their own independent investigation in respect of any concerns or complaints raised by Responsible Wood. Certification Bodies complaints handling processes would typically include provisions for the investigation of misconduct by certified organisations and certificate holders.

With respect to complaints lodged by Responsible Wood, the Notified Certification Body is required to inform Responsible Wood of the result of their internal investigation, any actions taken and the response from the organisation under review. Responsible Wood will act in accordance with the advice provided by the Notified Certification Body.

A3.4.4 Suspension or Termination of Notification and Certificate Registration

Under Notification Agreements with Certification Bodies there is no provisions where notifications from Accredited Certification Bodies are not processed, and Certificates are not registered.

This ensures that Responsible Wood is unable to exert undue influence on the operation of the scheme and the scheme operates with impartiality and independence. In cases where certification or certificates are issued and the Certification Body refuses to acknowledge or investigate complaints, such instances shall be reported to JAS-ANZ.

JAS-ANZ via contract agreements with Certified Bodies has power to investigate such matters and if necessary instruct Certified Bodies to withdraw, suspend or modify certifications and certificates. Failure to comply with directives from JAS-ANZ may result in suspension or termination of the bodies accreditation.

A 3.5 INVESTIGATIONS

A 3.5.1 Principals

There are significant commercial implications for organisations where Responsible Wood takes action in respect of improper conduct or misuse of Logo or Certificates. In some cases, loss of market access or supply contracts could occur. Such outcomes may fall within the *Competition and Consumer Act 2010* and could expose Responsible Wood to challenge in the absence of proper process. The following principals will be upheld.

a) Only written complaints will be investigated.

b) Complaints will only be investigated where objective evidence to substantiate a complaint is provided.

c) Special care and attention must be taken where complaints are suspected of being vexatious or have anti-competitive motivations.

d) Personnel investigating complaints should be completely free of Conflict of Interest. Conflicts of interest can include having worked for, consulted to, been a customer or a competitor to either the organization or individual making the complaint, or the organization or individual against which the complaint is made.

e) All personnel in the decision-making process shall be free of Conflicts of Interest.

3.5.2 Capture and Initial Review of Complaints and Allegations

Due to the potential serious nature of allegations relating to improper conduct, false and misleading statements, misuse of Logos and Certificates and activities which bring the Responsible Wood or the Responsible Wood Certificate Scheme into disrepute, complaints and allegations will only be received in writing and where the complainant is identified. Unsubstantiated allegations without supporting evidence will not be investigated until the provision of objective evidence, or information on where such evidence can be obtained.

The Responsible Wood Chief Executive shall review the allegations and the evidence provided to determine if there is sufficient cause to warrant further investigation.

It is possible that the Responsible Wood Chief Executive Officer may be the subject of allegation or a complaint. In such cases, a Responsible Wood Board Member free from Conflict of Interest shall perform the initial review.

Once the need for further investigation is confirmed, the complaint or allegation shall be further actioned using the Complaints and Grievances Procedure in the body of this manual.

A 3.5.3 Investigation Committee

In the case of an allegations relating to misconduct, an independent Investigation Committee shall be established. The Investigation Committee shall advise the Responsible Wood Board on the results of investigations and if necessary put forward recommendations on corrective or punitive actions.

Make-up of the Investigation Committee:

- The Investigation Committee shall be made up of three or more individuals.

- The Investigation Committee may be comprised of Responsible Wood staff, Responsible Wood Directors, Responsible Wood Members, Legal Representatives or Technical Experts.

- All members of the Responsible Wood Investigation Committee shall be free of Conflicts of Interest and must meet the following criteria.

    1. They have not worked or consulted for the complainant or the complainee.

    2. They have not been in competition with either the complainant or complainee.

    3. They have not been a customer of either the complainant or complainee.

The Investigation Committee shall undertake an investigation of the allegations as follows:

- The Complainant shall be contacted and asked to give a detailed account of the allegations. Contact may be face to face or via electronic means.

- Objective evidence must be provided and reviewed by the Investigation Committee.

- The organisation against which allegations have been made shall be contacted and provided an opportunity to respond to the allegations.

- If the organisation acknowledge their activities and offers to remediate their behaviour and would accept terms from the Responsible Wood Board of Directors, this shall be noted.

- The Investigation Committee shall review the allegations, evidence provided, the response of the complainee including any undertakings proposed, and develop a report to the Responsible Wood Board of Directors. The report should identify:

    a) The nature of the allegations.

    b) The potential seriousness of the allegations. This may include the impacts on Responsible Wood, The Responsible Wood Certification Scheme, the Responsible Wood Board and other certified organisations.

    c) A summary of the evidence provided.

    d) The response from the complainee and any undertakings they are prepared to accept.

    e) The findings as to the investigation of the allegations.

    f) A recommendation on appropriate corrective and if necessary punitive actions.

A 3.6 DECISION MAKING PROCESS

The Responsible Wood Board of Directors shall review the report provided from the Independent Investigation Committee. Directors with Conflict of Interest shall abstain from **ALL** decision-making processes.

The Board of Directors based on the report provided shall determine if improper conduct had taken place, if logos or certificates have been misused, if false and misleading statements have been made, if the Responsible Wood organization, the Responsible Wood Certification Scheme or Responsible Wood and PEFC Logos have been brought into disrepute. The decision to confirm misconduct shall be on a 2/3 majority basis of those Directors entitled to vote.

A3.7 DECISION ON PENALITIES

In certain circumstances, the Responsible Wood Board may decide to suspend or terminate membership or suspend, terminate or restrict logo use. Such penalties shall be agreed by a 2/3 majority vote. The instruments and penalties available to Responsible Wood Board of Directors and are listed in A3.4.

Responsible Wood has no influence over the independent certification process and cannot influence suspend or terminate certification or certificates. In cases where the Directors decide to suspend or terminate membership, or suspend, terminate or restrict logo use, the organisation's Certification Body shall be informed with reasons for the actions taken and a formal request made to review if any further actions in respect of any certifications should be taken by the Certification Body.

The Certification Body is required to undertake their own investigation and consider any matters raised by Responsible Wood. If Responsible Wood is unsatisfied, the matter may be referred to JAS-ANZ for their own review and investigation.

A 3.8 APPEALS

A member or certified organisation will be afforded the right to appeal any findings and decisions made by the:

- Independent Review Committee; and
- Responsible Wood Board of Directors.

Such appeal will be heard by the Board. At the discretion of the Board, an Appeals Committee shall be established. It shall be comprised of persons independent of the investigation, review and decision-making process. They shall be free from Conflicts of Interest and have the necessary background to review the evidence collected, review the decision-making process and provide an unbiased opinion on the validity of the investigation and decision making process.

Where an appeal is rejected or upheld, the reasons shall be provided.

The Board will make any final decisions regarding the matter, after consideration of any Appeals Committee report.

A 3.9 REMEDIATION OF BEHAVIOUR

The purpose of the investigative process, the fair and impartial decision-making process and penalties is not to punish individuals or organisations for their actions, but to change behavior in order to protect the integrity and reputation of the Responsible Wood Certification Scheme and Responsible Wood.

Where individuals or organisations are prepared to accept binding undertakings and shown evidence of improved behaviour, the Responsible Wood Board at their discretion may decide to lift penalties and restrictions imposed on the individual or organisation.