



**Procedure for Handling Complaints,  
Disputes and Appeals for CDM  
Validation and Verification Projects |  
Appendix F | December 2020  
Greenhouse Gas Assurance Services (GGAS)**

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# 1. Introduction and Objective

The Greenhouse Gas Assurance Services (GGAS) Group has developed procedures for handling complaints, disputes, and appeals arising from validation and verification/certification activities conducted by GHD Limited (GHD) for projects related to the Clean Development Mechanism (CDM) of the United Nations Framework Convention on Climate Change (UNFCCC). The objective of these procedures is to ensure the fast, accurate, and appropriate handling of complaints, disputes, and appeals related to work performed by GHD's GGAS Group on CDM project activities. GHD encourages communication from any Party involved, including Project Participants, the CDM Executive Board, or any other project-related stakeholder regarding complaints, disputes, and appeals, if any.

The GGAS Manager is the main contact for receiving and handling any disputes, complaints, or appeals. In the event that the dispute, complaint or appeal involves work or actions of the GGAS Manager, the GGAS Principal will appoint another GHD representative (who has not been involved in the Project work) to address the complaint, dispute or appeal on behalf of GHD's GGAS Group. Contact details for the GGAS Manager and the GGAS Principal are provided on GHD's CDM webpage at <https://www.ghd.com/en-ca/expertise/climate-change-cdm.aspx>

## 2. Definitions

The following terms and definitions are applicable to this document and are used throughout:

- **Appeals:** A CDM client organization's (CDM PP) request for a review by an independent appeal panel of various decisions taken by a DOE in respect of validation and/or verification/certification functions.
- **Client or Potential Client:** Client is a legal entity or company that holds a written contract with GHD to perform validation/verification/certification services; Potential Client is a legal entity or company that has requested a quote for validation/verification/certification services from GHD's GGAS Group. Both Client and Potential Client must be a Project Participant in a CDM Project Activity.
- **Complaints:** Formal (written) and/or informal (verbal) expressions of dissatisfaction regarding the performance of a DOE 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, and other stakeholders.

Examples of complaint/formal expressions of dissatisfaction include, but are not limited to:

- Written or verbal statements regarding GHD's handling or execution of a project with regards to schedule
- Failure to catch/review a significant item or validation/verification requirement or similar with the Client, and/or
- Communications to GHD that are made publicly available on the UNFCCC CDM website detailing the secretariat's reasons why a request for registration/issuance cannot be processed any further after the completeness check stage and/or information and reporting check stage.
- **Disputes:** Disagreement between a DOE and the project participant regarding the DOE's recommendation and/or opinions/decisions made at various stages during the validation and/or verification/certification functions.
- **Project Activity:** A project activity is a measure, operation or an action that aims at reducing GHG emissions. The Kyoto Protocol and the CDM modalities and procedures use the term "project activity" as opposed to "project". A project activity could, therefore, be identical with or a component or aspect of a project undertaken or planned.
- **Project Participant:** In accordance with the use of the term project participant in the CDM modalities and procedures, a project participant is (a) a Party involved, which has indicated to be a project participant, or (b) a private and/or public entity authorized by a Party involved, to participate in a CDM project activity.

- **Stakeholders:** Stakeholders mean the public, including individuals, groups, or communities affected, or likely to be affected, by the proposed CDM project activity or actions leading to the implementation of such an activity.

### 3. Complaints Procedure

The examples of complaints listed in Section 2 above are not exhaustive. Any negative feedback or notice of omission by GHD related to CDM validation/verification should be communicated to the GGAS Manager and/or Principal. The GGAS Manager and/or Principal will evaluate negative feedback or notice of omission to understand if it affected or has the potential to affect the outcome of the project. If it is determined that the outcome of the project was (potentially) affected, the GGAS Manager and/or Principal will classify the situation as either a non-conformance or complaint. If the outcome of the project was not affected, the negative feedback or notice of omission will not be treated as a non-conformance or complaint.

GHD's responses to CDM validation/verification communications will specify if the issue was treated as a complaint or non-conformance by GHD. Non-conformances will be addressed in accordance with GHD's Quality System procedures.

The complaint should be forwarded to the GGAS Manager, or if the GGAS Manager is the subject of the complaint, the complaint should be addressed to the GGAS Principal. Complaints should be addressed without delay after the cause for the complaint has occurred. Complaints should be documented on GHD's CDM Disputes, Complaints, and Appeals form (CDMF-011), available on GHD's CDM webpage. The complainant can fill out the form directly or, if the complaint is received in writing (e.g., CDM-COMP-FORM) but not on the form or via telephone, the GGAS Manager will complete the form. If the GGAS Manager completes the form, the GGAS Manager will provide the completed form to the complainant to verify that it appropriately documents the complaint. The complainant will be asked to sign the form. After receipt of the completed form, the GGAS Manager/GGAS Principal shall proceed as follows:

- Appoint a main contact within the GGAS Group to respond to each specific complaint and to track the complaint and actions taken to respond to the complaint.
- Compile information about the complaint and keep records of all relevant information. Records shall be maintained in the Project File in accordance with the GGAS Group's document retention policy.
- If the complaint relates to the Project Participant, the GGAS Group contact responsible for the complaint will notify the Project Participant of the complaint and will keep them involved through the remainder of the complaints procedure.
- Determine if the complaint is valid, based on the source of the complaint, the accuracy and completeness of the data or information upon which the complaint is based, the reasonableness of the requested resolution, if provided, in the complaint. A complaint should be further analysed for validity if the complainant is not a Client or an entity that holds a contract with GHD due to the absence of terms and conditions with the non-contract entities.
- Provide an initial response to the complainant within five business days from the date the complaint was received, acknowledging receipt of the complaint and the main point of contact in the GGAS Group for further communication.
- Provide a progress update on the investigation to the complainant (where feasible).
- Make an overall assessment of the complaint's nature and extent, determine its causes and propose corrective actions if needed.

The GGAS Manager and the assigned complaint handling representative in the GGAS Group are responsible for carrying out all the necessary activities to bring the complaint to a final resolution and closure. This will involve the following:

- Carry out an analysis of the complaint and take any necessary measures and corrective actions.

- Keep the relevant parties informed.
- Plan the actions to be taken.
- Keep accurate records of activities and proceedings, and safeguard the confidentiality of the complainant and subject of the complaint, as appropriate, and subject to CDM procedures and CDM EB requirements.
- The response to the complaint will be approved by the GGAS Manager and the GGAS Principal prior to responding to the complainant.

If the GGAS Group's response or suggested resolution to the complaint is not accepted by the complainant and the complaint relates to verification/validation services and decisions made by the GGAS Group, the GGAS Manager will suggest that the complainant make use of the appeals procedure. All information pertaining to complaints and their resolution shall remain confidential. Records will be kept during the complaint process and maintained in the project file for at least seven years after the dispute has been resolved.

## 4. Disputes Procedure

GHD encourages Project Participants to discuss any potential dispute issues or concerns with the CDM Project Validation or Verification Team Leader to determine if a mutually agreeable resolution can be reached before elevating the issue to a formal dispute. In the event that a resolution cannot be reached to the satisfaction of the Project Participant, the disputes should be documented on GHD's CDM Disputes, Complaints, and Appeals Form (CDMF-011), available on GHD's CDM webpage. The Project Participants can fill out the form directly or, if the dispute is received in writing but not on the form or via telephone, the GGAS Manager will complete the form. If the GGAS Manager completes the form, the GGAS Manager will provide the completed form to the Project Participant to verify that it appropriately documents the complaint. The Project Participant will be asked to sign the form. The completed form should be forwarded to the GGAS Manager, or if the GGAS Manager is involved in the CDM Project, the dispute form should be addressed to the GGAS Principal. Disputes should be made without delay after the cause for the dispute has occurred. After receipt of the dispute, the GGAS Manager/GGAS Principal shall proceed as follows:

- The GHD Validation/Verification Team Leader for the Project will be contacted to inform him/her of the formal dispute, and request information to aid in evaluating validity and details of the dispute. Additional records and documentation existing in GHD's records, or requested from the Project Participant, will also be used to assess the validity of the dispute.
- If the dispute relates to the non-fulfillment by a Project Participant or Client of a specific and clear contract requirement, the dispute claim shall not be considered a dispute and the GGAS Manager will respond to the contract requirement.
- If the dispute relates to the interpretation of a specific and clear requirement, as confirmed by the GGAS Manager, the GGAS Manager or his/her designate will attempt to resolve the issue as discussed below.
- The GGAS Manager in consultation with the GGAS Auditing Resources Manager and the GGAS Technical Resources Manager, as appropriate, will make their best efforts to resolve the issues at hand and will provide a response to the Project Participant. The response will include potential actions that will be taken to help resolve the dispute.
- If the GGAS Group response or suggested resolution to the dispute is not accepted by the disputant and the dispute relates to verification/validation services and decisions made by the GGAS Group, the GGAS Manager will suggest to the disputant that the disputant make use of the appeals procedure.
- The GGAS Manager will provide a progress update on the investigation of the dispute to the Project Participant (where feasible).
- The GGAS Manager will track the dispute and actions taken to respond to the dispute. All information related to the dispute shall remain confidential, subject to CDM EB requirements. Records will be kept during the dispute process and maintained in the project file for at least seven years after the dispute has been resolved.

## 5. Appeals Procedure

In the event that a resolution to a dispute cannot be reached satisfactorily, the Project Participant may initiate an appeal to the GHD North America Leadership Team (NALT). Appeals should be documented on GHD's CDM Disputes, Complaints, and Appeals Form (CDMF-011), available on GHD's CDM webpage. The Project Participants can fill out the form directly or, if the appeal is received in writing but not on the form or via telephone, the GGAS Manager will complete the form. If the GGAS Manager completes the form, the GGAS Manager will provide the completed form to the Project Participant to verify that it appropriately documents the complaint. The Project Participant will be asked to sign the form. The completed form will be forwarded to one of the members of the NALT, along with all documentation previously disclosed in the dispute and correspondence received from the GGAS Manager regarding GHD's response to the dispute. Appeals should be made without delay after the cause for the appeal has occurred. After receipt of the appeal, the NALT shall proceed as follows:

- Once an appeal is received, the designated member of the NALT will acknowledge receipt of the appeal and information provided within 5 business days, and indicate the appointed point of contact for future communications.
- The designated person appointed by the NALT shall coordinate and be responsible for tracking subsequent follow up actions.
- The designated person will also be responsible to ensure that submission, investigation, and decision on appeals do not result in discriminatory actions against the appellant.
- The designated person will make the appellant aware of its rights, including the right to formally present the appeal to the NALT, and the right to complain to the CDM-EB if the appellant is not satisfied with the decision of the NALT.

The appeals review activities conducted by the NALT will be independent of the members of the GGAS Group, including the GGAS Principal. Members of the GGAS Group involved in the project being appealed will provide any and all information as requested by the NALT for their review of the appeal.

The designated person will ensure that the GHD NALT completes the following tasks:

- Determines the validity of the appeal.
- Investigates the appeal with all available information pertaining to the appeal.
- Provides a decision within an appropriate timeframe.

In the event that the investigation from the NALT decides that all or part of the appeal is valid, the designated person will ensure that appropriate corrective actions are immediately taken to address the required response. Where required, the GGAS Manager will complete a non-conformance report and address the non-conformance appropriately.

All information related to the appeal shall remain confidential. Records will be kept during the appeal process and maintained in the project file for at least 7 years after the appeal has been resolved. The records will be filed in accordance to the requirements for confidentiality.



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