

COMPLAINTS PROCEDURE

1. INTRODUCTION

This document covers the procedure for resolving complaints relating to any BEE verification activities for which Harvest BEE Verifications is responsible. It further covers the procedure for referring complaints against measured entities verified by Harvest BEE Verifications to the verified enterprise.

2. PURPOSE

The purpose for this procedure is to:

- Clearly establish the responsibility and authority for reviewing complaints;
- To identify the applicable forms to be used when handling complaints: and
- To give detailed effective guidance for Harvest BEE Verifications staff, on what procedures should be followed when handling complaints by measured enterprises, Harvest BEE Verifications Staff, other enterprises than the measured enterprise, stakeholders or Harvest BEE Verifications Customers or suppliers.

This procedure also aims to provide a mechanism for the effective resolution of complaints so as to:

- protect Harvest BEE Verifications, its verified entities and other users against errors, omissions or unreasonable behaviour; and
- safeguard all parties' confidence in all verification activities.

3. RESPONSIBILITY & AUTHORITY

The Managing Director will be responsible for ensuring that all complaints against Harvest BEE Verifications are investigated and, where these are determined to be valid, the Managing Director will ensure that the complaints are adequately addressed in a timely manner.

The Managing Director will be responsible for appointing a suitably qualified and objective individual to serve as an Independent Appeals and Complaints Reviewer. This person shall not be an employee or Harvest or have any relation to Harvest BEE, but will be retained as an external Independent Reviewer.

The Independent Reviewer will be required to attend training on the following aspects prior to commencing with their duties:

- Harvest BEE Management System
- SANAS R47 document
- Codes of Good Practice

The Independent Reviewer will be deemed competent on achieving at least 75% on the following tests as assessment of outcomes of the training:

- HBVFORM053_R47 Test
- HBVFORM021_Policies and Procedures Test

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The Independent Reviewer will review all complaints received and determine whether to initiate an investigation, will provide feedback and report back to the Managing Director using **HBVFORM077_Appeals & Complaints Report**

4. PROCEDURE

All complaints may be submitted online through the Harvest BEE website or directly by emailing the completed form (which is also available for download on the website) to the designated email address, complaints@harvestbee.co.za

Emails received on this account will automatically be routed to the Managing Director and the Independent Reviewer through an electronic mail forwarding system.

4.1 Receiving an appeal

- Once the Independent Reviewer has been informed by an aggrieved party that it wants to submit a Complaint relating to verification or against a measured entity, the Independent Reviewer of Harvest BEE Verifications will send the aggrieved party a “**Complaint Form (HBVFORM046)**” and request them to note their Complaint and the reasons for the Complaint on the form.
- The completed **HBVFORM046_Complaint Form** must be returned to the Independent Reviewer of within 3 days after it was sent to the aggrieved party.
- Acknowledgement of the Complaint must be sent to the client within 3 days of receipt of the appeal by the Independent Reviewer.
- The Independent Reviewer will send all relevant complaints information to the Managing Director and the Verification Administrator.
- The Verification Administrator will update the complaint on **HBVFORM047_Complaints & Appeals Log**

4.2 Evaluating the complaint

- In evaluating a Complaint, the Independent Complaints Reviewer will review the review notes on the HBVFORM075_File Review Document where the verification analyst, verification auditor and/or verification manager have noted their findings during the verification process. This will be done in conjunction with the completed score.
- The Independent Reviewer should not have been involved in the verification process of the aggrieved party or be the individual against which the complaint is lodged.
- Before reaching a decision as to whether the Complaint should be evaluated, the Independent Reviewer may call for further oral and/or written evidence from the complainant or any party or person. All actions taken, decisions made and other comments will be noted on as well as, upon completion.
- Evaluation of an appeal must be completed within 10 working days of receipt of the Complaint.
- A Root Cause Analysis will be conducted for each complaint received. The Root Cause Analysis sheet (**HBVFORM076**) will be filed together with all the applicable documents in the complaints file.

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4.4 Recordkeeping

- Upon receiving the Complaint, it will be recorded on the Complaints & Appeals Log where a unique tracking number and the details of the appeal will be noted. This is done electronically saved on the server in the Complaints Folder.
- Once a page of the Complaints & Appeals Log is ‘full’, the page will be printed in placed in front of the appeals file.
- All proceedings during the Complaints review process will be recorded in writing. These records will be saved and stored in the Complaints file as well as the verification file of the measured entity involved in the complaint.
- All electronic documentation regarding the Complaint may be filed electronically in the electronic folder under the Complainants unique appeals number on the server; however hard-copies must be kept in the Complaints file as well.

5. VERIFICATION COMPLAINTS

On receipt of a complaint a copy of the complaint is recorded in the Measured Enterprise's folder on the network. The complaint will also be logged in the **HBVFORMo47_Complaints and Appeals Log** by the Verification Administrator. An email with a copy of the complaint is forwarded by Verification Administrator to the Senior Verification Manager and Managing Director (MD), informing them of the complaint.

The complaint will be reviewed by the Independent Reviewer whereby he will:

- Establish the validity of complaint by checking the name of the ME against the client information, checking the certificate number if applicable, reviewing the nature of complaint provided against policies, procedures and codes of conducts to assess whether or not there has been a breach in principle;
- Review of the severity of the reported complaint by understanding and measuring the consequences of the potential breach; and
- Decide on follow up action to be taken: The MD will be responsible for implementation of corrective action within 1 week of the receipt of the recommendation.

6. COMPLAINTS AGAINST A MEASURED ENTERPRISE

On establishment of a breach of Harvest BEE Verifications standards, criteria, or procedures by the Measured Enterprise, a complaint is formulated by Harvest BEE Verifications or by a 3rd party. The Independent Reviewer will validate the complaint and reviewing the nature of complaint provided against policies, procedures and codes of conducts to assess whether or not there has been a breach in principle.

If the complaint appears to warrant further investigation, the Independent Reviewer will forward a copy of the complaint to the authorised official of the Verified Enterprise with a request for a response within 2 weeks. The enterprises response will be reviewed by the Independent Reviewer of Harvest BEE Verifications within 2 weeks of receipt of the enterprises’ response.

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If Harvest BEE Verifications determines that the enterprise’s response satisfactorily addresses the issue or issues raised in the complaint, the matter will be considered closed and the 3rd party notified within fourteen (14) days. The **HBVFORM047_ Complaints and Appeals Log** will be updated.

In the event that an entity response is not received by Harvest BEE Verifications within thirty (30) days of the request for the response, or if the response is not deemed to have satisfactorily resolved the issue, Harvest BEE Verifications may initiate further proceedings as circumstances warrant, up to and including a Special Evaluation and/or revocation of verification status.

Complaints against a Measured Enterprise due to the Measured Enterprise providing incorrect or misleading information regarding the BEE status, the contents of verification reports and final certificate, or the verification action taken by Harvest BEE Verifications, the Measured Enterprise will be required to make

a public correction. A copy of the follow up action is clearly documented on the Measured Enterprise’s file with the complaint clearly marked as being resolved (including date of resolution).

The MD will provide the authorised representative of the ME with formal written notification that the Complaints process has ended. If the ME expresses dissatisfaction with the conclusion the MD will advise the ME to contact the DTI.

7. COMPLAINTS COMMITTEE

A Complaints Committee will be established in due course, as Harvest BEE Verification grows in size and capacity.

The objectives of the Complaints committee are:

- To investigate the breach and root cause thereof outlined in the complaints form completed by the Independent Reviewer;
- To gather evidence to support the complaint;
- To ensure that the complaint is investigated impartially and confidentiality;
- To advise the MD on the decision of corrective action to be taken, the decision must be made within 14 days of the convening of the committee

8. CORRECTIVE ACTION

- If it appears that a Harvest BEE Verifications representative or an individual working on behalf of Harvest BEE Verifications may have violated Harvest BEE Verifications criteria, policies, or procedures, that individual will be asked to respond to the issues raised in the complaint within 1 week. If Harvest BEE Verifications determines that a violation has occurred, Harvest BEE Verifications will counsel the responsible party and may take further action as circumstances warrant, up to and including termination as a Harvest BEE Verifications representative.

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- If Harvest BEE Verifications finds that a violation of its policies or procedures has occurred which may have had an effect on the verification action, Harvest BEE Verifications may initiate further proceedings as circumstances warrant: If the effect is limited to that particular ME, Harvest BEE Verifications may revisit to the Measured Enterprise at its own cost with an independent verification team from the original verification. If all verification activities are found by the committee to have been affected, Harvest BEE Verifications will cease operations until such time as corrective action has been implemented. All ME's and the DTI will be advised by the MD.
- Following the decision and recommendation for corrective action by the Complaints Committee, the MD will by email, advise an independent verification manager to implement the corrective action and monitor the effectiveness. The VM will report back by email to the MD in writing within 3 months of the date of the committee meeting.
- If it is decided that there is no breach according to the nature of the complaint, the complainant will be notified by email by the MD that no further action will be taken within. A copy of this notification will be stored in the Measured Enterprise's folder.

Related Policies, Procedures and Forms:

- HBVPOL009_ Committees Policy and Procedure
- HBVPOL029_ Complaints Policy
- HBVFORM047_ Complaints & Appeals Log
- HBVPOL022_ BEE Verification Certificates Policy
- HBVFORM076_ Root Cause Analysis Tool
- HBVFORM077_ Appeals & Complaints Report

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