

<b>PRO07 – Complaints and Appeals Procedure</b>		
Expands	Appeals Committee – Terms of reference (v2009-04-22)	
Changes	Changed title to Complaints and appeals procedure	
Replaces version	EC	2010-11-25
Approval of the current document:	BoD	2016-12-01

## 1. Scope

This procedure applies to all complaints and appeals brought forward to the Union for Ethical BioTrade, unless otherwise described in a specific procedure, duly approved by the Board or its Executive Committee.

Complaints and appeals regarding the following issues shall be handled by the Appeals Committee:

- standard development
- attribution of grants
- membership decisions
- certification, verification and other assurance decisions
- auditor and Certification Body performance
- claims made by members regarding UEBT membership or certification

Complaints are addressed by the UEBT secretariat.

Appeals regarding standard setting may be addressed by the Standard Committee first (see PRO06 - Standardization Procedure). Any issue that falls outside the scope of the Appeals committee needs to be brought to the next General Assembly.

## 2. Normative reference

- UEBT GOV01 - Articles of Association
- UEBT GOV09 - Appeals Committee Terms of Reference
- UEBT PRO06 - Standardization Process

## 3. Submission

To be considered, the complaint or appeal shall:

- be dated and sent to the UEBT Secretariat in writing. In case of an appeal; the communication should be submitted through recommended mail within 30 days after the decision against which is appealed is made public
- provide the name and contact details of the complainant / appellant
- disclose any possible connection with commercial interests related to the complaint / appeal

- indicate clearly the reason for the complaint / appeal
- provide objective evidence sustaining the complaint / appeal

Note:

A complainant may request the UEBT Secretariat to remain anonymous. Such requests will be assessed on a case-to-case basis and accepted when warranted.

#### 4. Process

The process for considering an complaint / appeal shall be as follows:

Complaints:

- The UEBT Secretariat shall examine if the conditions for receiving the complaint are fulfilled
- Within 14 days after receiving the complaint, UEBT shall inform the complainant if the complaint will be processed and what procedure and timing will be applicable
- The UEBT Secretariat shall seek to address the complaint in a satisfactory manner and may use external expertise in this process
- Depending on the nature of the complaint UEBT may decide to consult relevant governance bodies
- UEBT will inform the complainant about the final decision in writing

Appeals:

- The UEBT Secretariat shall examine if the conditions for receiving the appeal are fulfilled.
- The UEBT Secretariat shall determine if the appeal should be treated by the Appeals Committee or the General Assembly. In doing so it should ensure that the complaint is addressed in an adequate and impartial manner;
- If relevant to the General Assembly, the Secretariat shall introduce the topic in the agenda for the next possible General Assembly, according to the deadlines for submitting the agenda (see GOV01 - Article of Association).
  - The Secretariat shall inform the appellant on the outcomes of the General Assembly and take the necessary measures, depending on the outcomes.
- If relevant to the Appeals Committee, it shall transmit the appeal to the Appeals Committee within 30 days after receiving the appeal:
  - The Secretariat shall prepare the necessary background documentation on the appeal, so that the Appeals Committee has all relevant elements to come to a decision;
  - The Appeals Committee shall review the appeal and report back to the Board within 30 days.
  - If no Board meeting is scheduled within 4 weeks after the date of issuing its recommendation, the Appeals Committee shall indicate if a special Board meeting needs to be convened to address the appeal;

- The Board shall take a decision regarding the appeal based on the recommendations of the Appeals Committee. A decision that is not in line with the recommendation of the Appeals Committee shall be duly documented;
- The Secretariat shall inform the appellant on the outcomes of the Board meeting and take the necessary measures, depending on the outcomes.
- Unless otherwise specified in the Swiss legislation that rules the UEBT, decisions on appeals taken either by General Assembly or the Board are final.

## 5. Contact

The Union for Ethical BioTrade can be contacted at the following address:

### **Union for Ethical BioTrade**

De Ruijterkade 6  
1013 AA Amsterdam  
Netherlands

Or via email: [info@ethicalbiotrade.org](mailto:info@ethicalbiotrade.org)