

**PROCEDURE FOR HANDLING COMPLAINTS, DISPUTES AND APPEALS RELATED TO CLEAN DEVELOPMENT MECHANISM (CDM) ACTIVITIES**

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<b>REVISION</b>	<b>DATE</b>	<b>AMENDMENTS</b>
00	2009-09-14	Initial adoption. This document reproduces paragraphs 10.1, 10.2, 10.3 of the document IE DTC-039 version 7b.
01	2013-07-15	Revision of communication channels
02	2013-11-20	Specific responsibilities for receiving of complaints, disputes and appeals

<b>DRAFTED</b>	<b>REVIEWED</b>	<b>APPROVED</b>
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## **1. Complaints handling**

A complaint is the 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, etc.

AENOR has made available a specific e-mail address in its website to make the procedure of sending complaints easier. It can be accessed in AENOR website in section "Certification-Environment" through the following link:

[http://www.en.aenor.es/aenor/certificacion/mambiente/medio\\_ambiente.asp](http://www.en.aenor.es/aenor/certificacion/mambiente/medio_ambiente.asp)

The procedure to send complaints is included in option "Clean Development Mechanism projects" in the section "Contact us".

CDM PPs, general public or its representatives, government bodies, NGOs, etc. may send complaints through the following communication channels:

- e-mail address: [cdm.kyoto@aeon.es](mailto:cdm.kyoto@aeon.es),
- fax number +34913190581,
- address: AENOR, Génova 6, 28004 Madrid (Spain).

Verbal complaints shall be communicated to any member of the Climate Change Unit. In this case the complainant will be requested to provide a written authorization in advance, using any of the channels mentioned above, for recording the conversation.

Verbal and written complaints will be communicated to the CDM Quality Manager by any member of the Climate Change Unit who may have received it.

The CDM Quality Manager will check the mailbox [cdm.kyoto@aeon.es](mailto:cdm.kyoto@aeon.es) daily in order to identify any complaint that may have been received. The CDM Quality Technician will assist the CDM Quality Manager in this task.

Any complaint that is received through these communication channels shall be acknowledged by the CDM Quality Manager in a period of ten working days according to the laboral calendar in Madrid. In the absence of the CDM Quality Manager, the Technology coordinator shall acknowledge its reception.

A reasoned answer shall be sent to the complainant within twenty working days after the date of the acknowledge of its reception, according to the following provisions.

Nevertheless the complaint has a technical nature or not, it will be analysed by members of the Climate Change Unit. A team shall be appointed by the Technology Coordinator or the Operational Director in order to gather and analyse all necessary information to answer and solve the complaint. Members appointed to handle the complaint shall be different from those who carried out the validation or

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verification/certification activities. . Validators, Verifiers, Team leaders, the CDM Quality Manager and the Technology Coordinator may be part of the team that analyses the complaint. The team will collect all the information necessary and will prepare a reasoned answer. The Technology Coordinator or the CDM Quality Manager will send the reasoned answer to the complainant. The motives or causes will be analysed and it will be evaluated if the complaint is valid and related to work for which AENOR is responsible, as well as the actions to be taken.

If the result of the analysis is a non-compliance with the requirements, a corrective action related to the Quality Management System of AENOR shall be raised and managed by the CDM Quality Manager or the Technology Coordinator.

During the complete process the identity of the complainant and details of the complaint are to be kept confidential.

The CDM Quality Manager will inform to the Quality and Social Responsibility Department to record the complaint in the Quality Management database. This record will be coded as follows:

DD / XXX – YY

Where XXX is a correlative number

YY are the two last numbers of the current year

This record will adjust to the format RG-CA/003 “General record for incidents”.

The format shall include the following information:

- Person and entity that has received or detected the complaint (incident) and date.
- External entity affected
- Type of complaint: on writing or verbally communicated.
- Analysis of what happened.
- Activity that has been affected.
- Identification of causes, (why it had happened?)
- Actions to be taken, responsible person and proposed date:
  - Immediate actions carried out to manage non conformance (if applicable)
  - Corrective actions carried out to avoid recurrence of non conformance (if applicable)

If a corrective/preventive action is necessary it will be managed and recorded. The root cause analysis shall be done in order to define the adequate corrective/preventive action.

The Technology coordinator is responsible for monitoring the correct implementation of the actions taken and its effectiveness.

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The Quality and Social Responsibility Department is the final responsible for the monitoring of the correct handling of complaints.

The records shall be kept by the Quality and Social Responsibility Department for 5 years.

s. The confidentiality of the complainant and the subject of the complainant shall be safeguarded during the whole process.

## **2. Disputes handling.**

A dispute is defined as a disagreement between a DOE and the project participant (PP) regarding the DOE's recommendation and/or opinions/decisions made at various stages during the validation and/or verification/certification functions.

AENOR has made available a specific e-mail address in its website to make the communication easier to send information about disputes. It can be accessed in AENOR website in section "Certification-Environment" through the following link:

[http://www.en.aenor.es/aenor/certificacion/mambiente/medio\\_ambiente.asp](http://www.en.aenor.es/aenor/certificacion/mambiente/medio_ambiente.asp)

The procedure for handling disputes is included in option "Clean Development Mechanism projects" in the section "Contact us".

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PPs may send disputes through the following communication channels:

- e-mail address: [cdm.kyoto@aeon.es](mailto:cdm.kyoto@aeon.es),
- fax number +34913190581,
- address: AENOR, Génova 6, 28004 Madrid (Spain).

The CDM Quality Manager will check the mailbox [cdm.kyoto@aeon.es](mailto:cdm.kyoto@aeon.es) daily in order to identify any dispute that may have been received. The CDM Quality Technician will assist the CDM Quality Manager in this task.

Any dispute will be communicated to the CDM Quality Manager by any member of the Climate Change Unit who may have received it.

Any dispute shall be acknowledged by the CDM Quality Manager or the Technology Coordinator in a period of ten working days according to the laboral calendar in Madrid. In the absence of the CDM Quality Manager, the Technology coordinator shall acknowledge its reception.

A reasoned answer shall be sent to the disputant within twenty working days after the date of the

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acknowledge of its reception, according to the following provisions.

A team shall be appointed by the Technology Coordinator or the Operational Director in order to gather and analyse all necessary information to answer and solve the dispute. Members from the Climate Change Unit appointed to handle the dispute shall be different from those who carried out the validation or verification/certification activities. Validators, Verifiers, Team leaders, the CDM Quality Manager and the Technology Coordinator may be part of the team that analyses the dispute. The team will collect all the information necessary and prepare a reasoned answer. The Technology Coordinator or the CDM Quality Manager will send the reasoned answer to the disputant. The motives or causes will be analysed and it will be evaluated if the dispute is valid and related to work for which AENOR is responsible, as well as the actions to be taken.

If the result of the analysis is a non-compliance with the requirements, a corrective action related to the Quality Management System of AENOR shall be raised and managed by the CDM Quality Manager or the Technology Coordinator.

The CDM Quality Manager will inform the Quality and Environmental Department to record the dispute in the Quality Management database. This record will be coded as follows:

DD / XXX – YY

Where XXX is a correlative number

YY are the two last numbers of the current year

This record will adjust to the format RG-CA/003 "General record for incidents".

The format shall include the following information:

- Person and entity that has received or detected the dispute (incident) and date.
- External entity affected (project participant)
- Type of dispute: on writing or verbally communicated.
- Analysis of what happened.
- Activity that has been affected.
- Identification of causes, (why it had happened?)
- Actions to be taken, responsible person and proposed date:
  - Immediate actions carried out to manage and solve the dispute (if applicable)
  - Corrective actions carried out to avoid recurrence of a non conformance detected (if applicable)

If a corrective/preventive action is necessary it will be managed and recorded. The root cause analysis shall be done in order to define the adequate corrective/preventive action.

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The Technology coordinator is responsible for monitoring the correct implementation of the actions taken and its effectiveness.

The Quality and Social Responsibility Department is the final responsible for the monitoring of the correct handling of disputes.

The records shall be kept by the Quality and Social Responsibility Department for 5 years.

Confidentiality of disputes and the subject of the dispute shall be safeguarded during the whole process.

### **3 Appeals handling.**

An appeal is defined as follows: 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.

AENOR has made available a specific e-mail address in its website to make the communication easier to send information about appeals. It can be accessed in AENOR website in section "Certification-Environment" through the following link:

[http://www.en.aenor.es/aenor/certificacion/mambiente/medio\\_ambiente.asp](http://www.en.aenor.es/aenor/certificacion/mambiente/medio_ambiente.asp)

The procedure for handling appeals is included in option "Clean Development Mechanism projects" in the section "Contact us".

PPs may send appeals through the following communication channels:

- e-mail address: [cdm.kyoto@aeonr.es](mailto:cdm.kyoto@aeonr.es),
- fax number +34913190581,
- address: AENOR, Génova 6, 28004 Madrid (Spain).

The CDM Quality Manager will check the mailbox [cdm.kyoto@aeonr.es](mailto:cdm.kyoto@aeonr.es) daily in order to identify any appeal that may have been received. The CDM Quality Technician will assist the CDM Quality Manager in this task.

Any communication related to appeals shall be acknowledged in a period of ten working days according to the laboral calendar in Madrid, by the CDM Quality Manager or the Technology Coordinator

Any member of the Climate Change Unit that receives a communication related to an appeal shall communicate it to the CDM Quality Manager and/or the Technology Coordinator and they will inform the Legal Department and the Quality and Social Responsibility Department. . They will assess the validity of the appeal. Subsequently it will be sent to the General Director and the Appeals Committee by the Quality Management Director.

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The Appeals Committee is composed of Vice President of AENOR, four elected members from the Board of Directors, and the General Manager of AENOR.

The members of the Appeals Committee are not involved in any CDM activity including taking decisions regarding validation and verification of CDM project activities, so they have no conflict of interest with the appeal in any way. All members of the Appeals Committee shall sign an impartiality agreement. In the case a member of the Committee has a conflict of interest with the appeal, he/she will not participate in the process.

The Appeals Committee will gather all necessary information or will require it to the staff involved in validation/verification/certification work. The Committee has the right to hear the explanations from a witness and/or consult with external technical experts and/or take any measure and/or any actions, including arranging meetings as necessary to make right decision. The appellant shall be notified of the date of the meeting that will be held within 30 working days of the date of the appeal receipt.

Taking into account all the relevant information, the Appeals Committee shall judge the appeal with fairness by using a simple majority rule voting process. The submission, investigation and decision on appeals shall not result in any discriminatory actions against the appellant.

If feasible, the appellant shall be informed about the progress on appeal investigation before the process is finished.

Once the Committee has taken a decision, it will prepare a report to be sent to the Board of Directors for final approval in their next meeting. The General Manager shall notify the final decision to the appellant within 10 working days from the date of final decision by the Board of Directors.

The members of the Appeal Panel shall hold in confidentiality all information generated during the appeal process related to the appellant's business/organization and the subject of the appeal.

In case the appellant is not satisfied with the decision of the Appeals Committee, the CDM Quality Manager shall inform the appellant that it has an option of complaining to the CDM EB.

If the result of the analysis is a non-compliance with the requirements, a corrective action related to the Quality Management System of AENOR shall be raised by the CDM Quality Manager or the Technology Coordinator.

The CDM Quality Manager will inform the Quality and Social Responsibility Department for recording the appeal in the Quality Management database. This record will be coded as follows:

DD / XXX – YY

Where XXX is a correlative number

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YY are the two last numbers of the current year

This record will adjust to the format RG-CA/003 "General record for incidents". The format shall include the following information:

- Person and entity that has received the appeal (incident) and date.
- External entity affected (project participant)
- Communication channel used to send the appeal.
- Analysis of what happened.
- Activity that has been affected.
- Identification of causes, (why it had happened?)
- Actions to be taken, responsible person and proposed date:
  - Immediate actions carried out to manage and solve the appeal (if applicable)
  - Corrective actions carried out to avoid recurrence of a non conformance detected (if applicable)

If a corrective/preventive action is necessary it will be managed and recorded. The root cause analysis shall be done in order to define the adequate corrective/preventive action.

The Technology coordinator is responsible for monitoring the correct implementation of the actions taken and its effectiveness.

The Quality and Social Responsibility Department is the final responsible for the monitoring of the correct handling of corrective actions related to appeals.

The records shall be kept by the Quality and Social Responsibility Department for 5 years.