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**SOCIAL ACCOUNTABILITY
ACCREDITATION SERVICES**

FOR MAKING A COMPLAINT OR APPEAL

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1.0 PURPOSE

This document provides guidance to any body or person wishing to make a complaint or appeal to SAAS about activities within the scope of SAAS accreditation. SAAS maintains separate internal procedures detailing the management of such complaints and appeals which are documented in SAAS Procedure 202.

2.0 DEFINITIONS:

- 2.1 **Complaint:** A formal expression of dissatisfaction, other than appeal, by any organization or person, with some matter related to a certification body, a certified facility, or SAAS and its staff, where a response is expected.
- 2.2 **Appeal:** A formal expression of dissatisfaction by a party affected by a decision of SAAS, which is directly related to the accreditation status of the party affected.

3.0 TYPES OF COMPLAINTS

There are 4 types of Complaints/Appeals, each with a different methodology for submission and management as detailed below:

- 3.1 Complaints: Received by SAAS from accredited and applicant certification bodies regarding audit, surveillance, or other client service provided by SAAS (Type 1A).
- 3.2 Appeals: Received by SAAS from accredited and applicant certification bodies against determinations or decisions made by SAAS, including those that lead to accreditation withdrawal or an accreditation not being issued (Type 1B).
- 3.3 Complaints: Received by SAAS from certified facilities or other interested parties regarding the performance of SAAS accredited certification bodies (Type 2). Examples of the types of complaints against an accredited certification body may include:
- misuse of the SA8000 mark;
 - failure to identify critical problems at a facility at its certification;
 - failure to properly respond to an appeal or complaint previously filed;
 - repeated certifications given inappropriately to facilities not conforming to the normative document within the scope of SAAS accreditation.
- 3.4 Complaints: Received from interested parties about the performance of certified facilities (Type 3).

4.0 SUBMISSION OF COMPLAINTS

- 4.1 **Complaint Type 1A, 1B and 2** (described in 3.1 through 3.3 above) should be sent directly to SAAS.
- 4.2 **Complaint Type 3** (described in 3.4 above) should in the first instance be raised with the certification body in question, and if they are not satisfactorily addressed, then raised directly to SAAS for review.

5.0 GENERAL GUIDANCE IN MAKING A COMPLAINT

- 5.1 Any person may make a complaint to SAAS. It may be filed on a confidential basis to protect the anonymity of the interested party, but must include contact information in order

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to enable follow-up and reporting. The complaint shall include objective evidence which might include significant testimony or documented infractions. SAAS will only accept complaints in English or Spanish.

- 5.2 Each accredited certification body and SAAS have in place procedures to review appeals and complaints and to initiate, as appropriate, actions to resolve them, including audits – at the facility or certification body’s expense, if required. This process shall also include a provision for the complainant or appellant to receive a report of the corrective action taken.
- 5.3 The prime purpose of a complaint investigation is to ascertain whether or not the allegation is accurate, and if accurate, to elicit root cause analysis, corrective action and action to prevent recurrence.
- 5.4 All organizations participating in the SAAS accreditation system shall keep records of complaints and appeals and its responses to each for a minimum of 10 years.
- 5.5 Verbal complaints to SAAS will not be accepted. Complaints to SAAS shall be made in writing, and mailed or emailed to:

Director of Accreditation, SAAS
220 East 23rd Street, Suite 605, New York, NY 10010
fax: +212-684-1515
email: saas@saasaccreditation.org
- 5.6 The complaint shall be fully detailed and objective evidence to the complaint shall be provided. No form or format for a complaint is required, but SAAS Form 422: Complaints and Appeals Form may be requested from SAAS and used.
- 5.7 In the event that a complaint is made against the SAAS Director of Accreditation, it may be sent by the complainant to the Chair of the SAAS Board of Directors at the address identified above.
- 5.8 Complaints will be fully investigated by SAAS, and complainants will be advised of the outcome of their complaint (in writing) once this investigation has taken place.
- 5.9 Should allegations of major noncompliance by a Certification Body or at a certified facility be sustained and corrective and preventive actions not be taken, SAAS staff will ensure that the certification body suspends or withdraws the facility’s certification. If the sustained complaint relates to a Certification Body, SAAS will take appropriate measures to suspend or withdraw the CB’s accreditation if corrective and preventive measures are not taken.

6.0 GUIDANCE IN MAKING A COMPLAINT BY WORKERS AT AN SA8000 CERTIFIED FACILITY

- 6.1 A facility certified to SA8000 shall have appointed a management representative responsible for ensuring that there is a confidential, accessible system for workers to lodge complaints should workers find nonconformities to SA8000. Complaints may be lodged anonymously, or workers may identify themselves and any co-complainant who wishes to

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be identified.

- 6.2 A complaint is a worker's first step in alleging nonconformities with SA8000 at his/her organization. He/she should ask his/her elected SA8000 worker representative or trade union representative where one exists for assistance if he or she feels comfortable doing so. SA8000 provides that lodging complaints will not expose the worker to any risk of reprisal. Nevertheless, the SA8000 worker representative shall take precautions to assure anonymity if the worker chooses not to identify himself/herself.
- 6.3 The SA8000 worker representative, the worker, or any designated representative of the worker will take the complaint to the member of management responsible for SA8000 implementation. Management must respond within a reasonable, set period of time. The SA8000 management representative will advise what that time period is for the organization.
- 6.4 Management should respond on three levels:
1. Root cause analysis to determine why there was a nonconformance with the provisions of SA8000,
 2. Corrective action, including remedial action, if requested, and
 3. Action to prevent recurrence of the problem.
- 6.5 Should the complaint not be resolved to the satisfaction of the complainant, a complaint may then be lodged directly to the certification body about the facility, as detailed below. Should the complainant not be satisfied with the outcome of the complaint investigation as managed through the certification body, a complaint may be filed directly with SAAS.

7.0 COMPLAINTS BY WORKERS AND/OR INTERESTED PARTIES TO CERTIFICATION BODIES ABOUT A CERTIFIED FACILITY

- 7.1 If management at an SA8000 certified facility fails to rectify a valid complaint, a complaint may be raised by any interested party (such as a worker, NGO, community group, teacher/professor or trade union) with the certification body (CB) that certified the facility's compliance with SA8000. The address of that CB will be on the facility's posted SA8000 certificate, or it can be obtained from the elected worker representative and/or management-designated SA8000 representative. In investigating the complaint, the CB is charged to protect the identity of the complainant and any person who gave testimony, unless those persons choose to let their identity be known.
- 7.2 The CB is required to provide a detailed report of all complaints to SAAS every six months and such complaints will be reviewed by SAAS during surveillance audits. Workers and other interested parties are invited to also send a copy of the complaint to SAAS, 220 East 23rd Street, Suite 605, New York, New York 10010, USA (email: saas@saasaccreditation.org; fax: +212-684-1515), or to ask their SA8000 worker representative to do so for them. If the address of the organization's CB cannot be found, this should be stated in the complaint and sent directly to SAAS which will forward it.
- 7.3 Complaints must include documented evidence demonstrating that the facility did not comply with one or more specific provisions of SA8000. SA8000 Standard provisions by name and number should be specified if possible. The SA8000 worker representative can

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assist with identifying the provision and assembling the requisite evidence. Evidence can include the signed testimony of workers reporting what they themselves have witnessed.

7.4 The complaints shall be reviewed by designated CB staff for relevance to provisions of SA8000 and for inclusion of documented evidence of non-compliance. The investigation may be aided through the undertaking of an unscheduled audit of the facility. The CB shall submit a report to the complainant, with a copy to SAAS, on the conclusion of its investigation. The CB shall, at a minimum, follow SAAS Procedure 200 section 4.0 for conducting the complaint investigation.

7.5 During a surveillance or reaccreditation audit, or if the complaints originates through SAAS, the SAAS Director of Accreditation, SAAS audit team, or other designee shall review the results of the CB investigation to determine if the CB followed proper procedures at surveillance audits or at other designated times, as needed. If the Director of Accreditation determines that the investigation was incomplete or insufficient, the Director shall notify the CB and work with it to determine further action, which may include a SAAS investigation or other method, as determined.

7.6 A complainant not satisfied with the outcome or handling of the investigation may choose to file a complaint against the Certification Body with SAAS per sections 5.5 through 5.8 above.

8.0 MAKING AN APPEAL

8.1 Any SAAS-accredited Certification Body or applicant CB may appeal against a decision of SAAS within 30 business days of the initial decision.

8.2 Those wishing to make an appeal should submit their appeal and supporting evidence to SAAS.

8.3 Once SAAS receives an appeal, a designee shall be appointed to review the contents. If it is agreed that the appeal is justified, the designee will issue a letter acknowledging acceptance of the appeal, and SAAS shall immediately deal with the issue and issue a decision.

8.3.1 If the initial review of the Appeal deems the appeal unjustified, an appeals subcommittee shall be constituted and the Appeal shall be forwarded to the SAAS Appeals subcommittee. The designee shall advise the appellant in writing of the constitution of an appeal subcommittee and the date by which that review will have been completed.

8.3.2 When the committee reaches a decision about whether to accept the appeal, the appellant shall be informed in writing.

8.3.3 If the appeal is accepted, then an investigation will take place and the appellant will be notified of its outcome.

9.0 ASSOCIATED DOCUMENTATION

9.1 This document aligns with internal SAAS Procedure 202: Complaints and Appeals. SAAS Procedure 202: Complaints and Appeals describes SAAS actions in the event of

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complaints or appeals. Additionally, SAAS Procedure 200 describes the actions required of the Certification Bodies by SAAS in the event of a complaint received.

- 9.2 Each accredited CB and SAAS have in place a procedure to review complaints and appeals, to initiate an audit if required, and to investigate and report to the complainant.
- 9.3 Each certified facility and certification body in the SAAS accreditation system shall keep records of complaints and appeals and its responses to each for a minimum of 10 years.
- 9.4 Section 6.0 and 7.0 in this document apply to SA8000 certified facilities only. Additional documents may be developed for other Standards within the SAAS accreditation scope as needed.

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