



# Disputes

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## 1. Introduction

- 1.1. This procedure covers disputes that may arise from the Smart Freight Centre (SFC) Conformity Assessment Scheme (CAS), as defined in the key scheme documents: **ER Manual - ISO 14083 (ASU-PRO-001-2)** **ER Manual – MBM Specification (ASU-PRO-007-2)**, **VVB Manual – ISO 14083 (ASU-PRO-002-2)** and **VVB Manual – MBM Specification (ASU-PRO-008-2)**.
- 1.2. This procedure becomes effective on the date of issue indicated above.

## 2. Scope and applicability

- 2.1. "Disputes" are both appeals and complaints.
- 2.2. "Appeal" means a request made by a Validation and Verification Body (VVB) to SFC for reconsideration of an adverse approval decision which it has made.
- 2.3. "Complaint", means expression of dissatisfaction, other than an appeal, by any person or organization, relating to the activities related to a) the SFC CAS, or of b) an Approved VVB.
- 2.4. For the purpose of this procedure, an appeal must be made by a VVB and be directly related to an adverse approval decision. All other expressions of dissatisfaction will be regarded as complaints.

## 3. Appeals

- 3.1. A VVB, whether applicant, approved, suspended or withdrawn, has the right to appeal to SFC to reconsider an adverse approval decision by SFC, which relates to its desired approval status.
- 3.2. Appeals shall be submitted in writing, in English, by email to: [assurance@smartfreightcentre.org](mailto:assurance@smartfreightcentre.org), within 30 days of the date of written notification of the adverse approval decision. Any supporting documentation which the appellant wishes SFC to consider must be submitted together with the appeal.



- 3.3. Any adverse approval decision that is the subject of an appeal shall remain in force during the appeal process.
- 3.4. On receipt of an appeal, SFC shall carry out an initial review of the nature of the issue and the reasons being cited for the appeal, and inform the appellant of the outcome of the initial review within five working (business) days:
  - 3.4.1. If the issue is considered to fall within the definition of an appeal, SFC will inform the VVB that the appeal has been accepted for investigation.
  - 3.4.2. If the issue is not considered to fall within the definition of an appeal, the appellant will be notified as to why, and given the option to pursue their concerns following the SFC complaint process. The decision on whether to accept an appeal is final.
- 3.5. If the appeal is accepted for investigation, SFC shall appoint as the appeals investigator a senior manager who has not been involved in the decision-making process in question.
- 3.6. The investigator shall consider the grounds for the appeal and the evidence provided and may convene a hearing at which both the appellant and SFC decision maker present their case, in person or remotely. The appellant has the right to request a hearing to be held, even if the investigator does not consider it necessary. The appellant may also decline to attend the hearing, if one is convened.
- 3.7. The investigator shall make a recommendation to the SFC CEO, within 10 (working) days of the appeal having been accepted.
- 3.8. The SFC CEO shall make the final decision within five working (business) days of receipt of the recommendation from the investigator.
- 3.9. The appellant shall be informed in writing of the outcome within 30 days of the appeal having been received, as well as the grounds on which the appeal decision is based on. At this time, the appellant shall receive a copy of the conclusions and recommendations from the investigator.
- 3.10. If the appeal is upheld, SFC will take appropriate corrective action and change the decision. If the appeal is not upheld, SFC will not accept a future appeal on the same grounds.

#### **4. Complaints about a VVB that has been approved by SFC**

- 4.1. Complaints about a VVB that has been approved by SFC must be submitted to the VVB first. The VVB shall be given the opportunity to investigate and respond to the complaint before it is escalated. If the complainant is not satisfied with the VVB's response, it shall then escalate it to their National Accreditation Body, which shall be given the opportunity to investigate and respond to the complaint before it is escalated to SFC.



- 4.2. Only complaints that are about a GHG verification service carried out as part of SFC CAS are covered by this procedure. The focus of the SFC complaints process is on the performance and decision-making of SFC or of VVBs approved by SFC, for conformity with applicable procedures and SFC CAS requirements. It is not within SFC's remit to issue or change a GHG verification opinion/ statement. Complaints regarding financial and contractual matters also fall outside the remit of this procedure.
- 4.3. SFC has contractual arrangements in place with all approved VVBs to protect information obtained or created during the approval process (**License Agreement SFC-VVB, ASU-TPL-008-2**). Therefore, SFC cannot disclose confidential information about approved VVBs to complainants, and there is a limit to what can be shared with complainants. Consequently, for complaints about an approved VVB there will be a limit as to the amount of information that can be shared with complainants in relation to the SFC investigation.

## 5. Complaints about SFC

- 5.1. Complaints about SFC that fall within the scope of this procedure are about activities and personnel that are part of the SFC CAS.

## 6. Complaints process

- 6.1. Complaints shall be submitted in writing, in English, by email to: [assurance@smartfreightcentre.org](mailto:assurance@smartfreightcentre.org).
- 6.2. Complaints shall include:
- 6.2.1. Description of the complaint and brief timeline of events
  - 6.2.2. Copy of the complaint submitted to the approved VVB, and any response received, if applicable
  - 6.2.3. Copy of any relevant supporting evidence.
- 6.3. On receipt of a complaint, SFC shall: 1) (if applicable) inform the VVB that a complaint has been received, 2) carry out an initial review and 3) inform the complainant (and the VVB if applicable) of the outcome within one week.
- 6.4. The complaint shall be rejected in the following cases:
- 6.4.1. The complaint is anonymous.
  - 6.4.2. The issue does not fall within SFC's remit as described above.
  - 6.4.3. For a complaint about a VVB, the VVB has not been given the opportunity to investigate and respond to it.
  - 6.4.4. The complaint about a VVB is submitted more than one month after the date of rejection or closure of the complaint by the VVB or the National Accreditation Body, of applicable.
  - 6.4.5. The complaint about SFC is submitted more than one month after the issue occurred.



6.4.6. There is compelling evidence that the complaint is frivolous, malicious, trivial, vexatious, or generated to gain competitive advantage.

6.5. If the complaint is accepted for investigation, SFC shall appoint as the complaint investigator someone who is free of conflict of interest. The investigator can be any internal or external resource that has the technical knowledge or competence relevant to the issue being investigated.

6.6. The complainant and other relevant parties may be interviewed or otherwise approached to provide evidence for the investigation.

6.7. The complainant will be informed in writing of the outcome within 60 days of the complaint having been received. However, any conclusions will be provided within the constraints of the confidentiality requirements mentioned above.

6.8. SFC reserves the right to invoice costs of investigating complaints about a VVB to the VVB, at the SFC daily rate indicated in the **Assurance fees for VVBs** (ASU-FEE-001-2).

## 7. Related policies and other information

7.1. ER Manual - [ISO 14083](#) (ASU-PRO-001-2)

7.2. [ER Manual - MBM Specification](#) (ASU-PRO-007-2)

7.3. VVB Manual - [ISO 14083](#) (ASU-PRO-002-2)

7.4. [VVB Manual - MBM Specification](#) (ASU-PRO-008-2)

7.5. Licence Agreement [SFC-VVB](#) (ASU-TPL-008-2)

7.6. Assurance fees for VVBs (ASU-FEE-001-2)

## Version history

1	06/09/2023	First edition
2	20/09/2024	Second edition. Consideration of the new CAS scope for the Market Based Measures Specification. Minor revisions for increased clarity.

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