

# SOP 5:

## COMPLAINT PROCESS - COMPLAINT RESOLUTION

FOR ALL MEMBERS AND THE MANAGEMENT BOARD OF  
THE FOREST CERTIFICATION ON THE COMPLAINT RESOLUTION PROCESS



PROJECT AIN8748

Informed forestry decisions, sustainable forest management and forest certification in smallholder forests in Vietnam

### 2. Complaint against the group leadership (Forest Certification Management Board of the cooperative or the farmer organization)

#### Step 1: Notify the parties involved in the complaint

- A member of the group, an organization, or an individual outside the Forest Certification group has the right to complain about the group's leadership from the group management level in the Cooperative to the farmer organization.

#### Step 2: Identify the participants in resolving the complaint

- If the person being complained about is the leader of the Forest Certification Management Board of the Cooperative, the level responsible for resolving the complaint will be the Forest Certification Management Board of the farmer organization. In this case, the complaint procedure is carried out according to the complaint process of a member in the Cooperative, with the only difference being that the level responsible for resolving the complaint is the farmer organization and the Forest Certification Management Board of the Cooperative, upon receiving the complaint related to a member who is the leader of the Forest Certification Management Board of the Cooperative, must transfer the entire file to the Forest Certification Management Board of the farmer organization for resolution.

- If the person being complained about is an official of the Forest Certification Management Board of the farmer organization, the Forest Certification Management Board of the farmer organization (excluding the person complained about) will be responsible for resolving the complaint.

- At the same time, both the person being complained about and the complainant are allowed to participate in the complaint resolution process by providing information and evidence to justify themselves. Suppose the complainant or the person being complained about still disagrees with the outcome of the complaint resolution. In that case, another meeting will be organized between the Forest Certification Management Board of the farmer organization and, representatives of member cooperatives and other parties involved in the complaint to seek a resolution.

#### Step 3: Investigate and Collect Evidence (Prove as above)

- When processing the complaint file of a member, the assigned representative for resolving the complaint, as designated by the Forest Certification Management Board of the farmer organization, must record all information regarding the complaint in the complaint log of the farmer organization.

- The assigned investigator will carry out the investigation process in two steps as follows:

+ Determine whether the issue of the complaint falls within the requirements of the forest certification group. If the file is valid, the Forest Certification Management Board of the farmer organization must send a written notification (Form 2d) to both the complainant and the respondent regarding the acceptance of the file, the assignment of a representative for resolution, and the timeline for resolution.

+ The Forest Certification Management Board of the farmer organization will establish a complaint resolution team consisting of a team leader, a deputy team leader, and one member (none of whom shall be the respondent). The complaint resolution team will collect objective evidence to serve the investigation and resolution of the complaint. The complaint resolution process shall be conducted within 15 working days from receipt of the complaint letter. If exceptional circumstances require additional resolution time, the Forest Certification Management Board of the farmer organization must notify the relevant parties in writing.

+ Activities conducted by the respondent must be monitored to ensure that these activities are carried out thoroughly and that the issue being complained about is addressed objectively. If the complainant has feedback during this process, such feedback must be incorporated into the monitoring process.

#### Step 4: Addressing complaints

- The final result of the complaint resolution will be determined through a meeting between the leadership of the Forest Certification Management Board of the farmer organization and the complaint resolution team. After the conclusion, the complaint results will be sent to the complainant and the complainant party in writing (Form 2e).

- If the parties still need to be satisfied with the outcome of the complaint resolution, they can appeal to the Forest Certification Management Board of the farmer organization to request a re-investigation of the case (Form 1e - SOP 6).

- The Forest Certification Management Board of the farmer organization must maintain records and include all cases of complaints in reports, storing the documents for a minimum of five years from the date of complaint resolution.

**The complaint resolution forms and principles are presented in SOP 6.**

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## WHY IT IS NECESSARY TO HAVE A COMPLAINT RESOLUTION PROCESS

During the participation in the Forest, some members may be dissatisfied with specific issues raised by others, or there may be conflicts of interest and disputes within the mechanisms that cannot be resolved unilaterally by individuals, necessitating the intervention of multiple parties.

The establishment and regulation of complaint resolution processes will demonstrate democratic fairness among the members of the group. At the same time, this mechanism will enable the members of the Forest Certification group to protect their rights. This meets the democratic requirements of the Forest Certification group.

## THE COMPLAINT RESOLUTION PROCESS INCLUDES



## HOW ARE THE ABOVE STEPS CARRIED OUT?

### 1. Complaints from members of the cooperative

#### Step 1: Notify the relevant parties about the complaint

Upon receiving the complaint (Form 1d - SOP 6), the cooperative forest certification management board will verify the validity of the complaint documentation. If the documentation is valid, the management board will send a Notification of Receipt of the Complaint (Form 2d - SOP 6) to both the complainant and the respondent, along with the assignment of a responsible person and the timeline for resolution.

The management board will establish a complaint resolution team (comprising a team leader, a deputy team leader, and one member). This team is responsible for collecting and analyzing evidence and conducting necessary measures to resolve the complaint within 15 days from the date of receipt of the complaint. In cases where the respondent is a member of the management board of the cooperative forest certification, the entire complaint file must be forwarded to a higher authority, namely the management board of the cooperative forest alliance, for resolution. The management board of the cooperative forest certification is only permitted to address complaints related to members of the cooperative who are not part of the management board.

The member being complained against must also be notified in writing (Form 2d) with details of the complaint and the name of the person assigned to investigate. It is generally advisable to inform the member being complained against of the complainant's name, except in certain sensitive cases where the complainant requests anonymity.

#### Step 2: Investigation and evidence collection

The complaint resolution process of the Complaint resolution team is carried out as follows:

- Determine whether the complaint issues fall within the scope of the forest certification group's member regulations. Suppose the complaint falls outside the scope of the group's regulations. In that case, the complaint resolution team of the cooperative must inform the complainant and request that they bring the issue to the relevant local authority for resolution. If the complaint falls within the resolution scope of the cooperative according to the Group's operational regulations, the resolution steps will be carried out as follows:

- Collect objective evidence either to support or reject the complaint. This process is carried out within one week after receiving the complaint and concludes within 15 working days. If the complaint resolution board needs more time to resolve the issue, they must inform the complainant.

#### Step 3: Addressing and concluding the complaint

- The investigation results must be recorded in the documents and discussed with those involved.

- If the investigation reveals that the complaint is unrelated, it may fall outside the scope of the membership regulations, or there is no objective evidence to support the claims made, the management of the cooperative forest certificate must send a written notice (Template 2e) to the complainant, clearly explaining the outcome of the investigation and that the complaint has been resolved.

- If the investigation results indicate the complaint is relevant, the member being complained about must be notified of this (Template 2d). The investigator, the management of the cooperative forest certificate, and representatives from the cooperative forest certificate management committee must discuss and decide how to address the issue. In some appropriate cases, the complainant may be invited to determine evidence and resolve the issue.

- The actions taken by the individual being complained about must be monitored to ensure that these actions are carried out thoroughly and that the issues raised are addressed satisfactorily and thoroughly. If the complainant has feedback during this process, it should be incorporated into the monitoring process.

- The outcome of the complaint resolution will be concluded through a meeting between the leadership of the cooperative forest certificate management and the complaint resolution team. After the conclusion, the complaint results will be sent to both the complainant and the respondent in writing (Template 2e).

- If the parties are still unsatisfied with the outcome of the complaint resolution, they have the right to appeal to a higher level, the management of the cooperative forest certificate union, to request a resolution (Template 1e).

#### Step 4: Store information about complaints

The cooperative's forest certificate management board must keep records, including all complaint cases in the report, and store the records for at least 5 years from when the complaint is resolved.