



COMPLAINTS PROCESS

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1. Introduction

- Complaints must be lodged within 2 working weeks from the date of the relevant incident using the requisite documentation.
- Ikamva Verification Services undertakes to investigate any complaints made by a third-party about an Ikamva Verification Services conducted verification of a Client's B-BBEE status and to make every effort to resolve the matter.
- It is imperative that the client is assured that the matter will be dealt with in a professional, impartial and confidential manner.

2. Purpose

- The purpose of the Complaints procedure is to assure Clients and users of Ikamva Verification Services issued scorecards that the Agency adheres to all B-BBEE Requirements and SANAS R47 to ensure that scores awarded are fair and consistently valid and to provide the Clients with a report on the outcome of the complaint within 30 working days from receipt of the complaint.

3. Procedure

- All complaints are received by Administration, who was not involved in the performance of the verification work for the respective measure entity.
- Administration informs the Client of the complaints process and what it entails. Administration then provides the Client with a Complaints Procedure Form (**IKA-01-CPF**) to be completed.
- Administration will send the client confirmation that the complaint has been received.
- An entry on the complaints register is made to record the complaint.
- Administration, then forwards the complaint to the Complaints Committee.
- The Complaints Committee, consists of individuals who were not involved in the verification relating to the Complaint.
- The Complaints Committee may co-opt experts, or outsource to interested parties (i.e. SANAS accredited verification agency) from the industry to the committee on either a permanent or temporary basis.
- The Complaints Committee may appoint a Technical Signatory and Verification Analyst who were not involved in the verification of the measured entity, if so needed.

- Any member appointed to the Complaints Committee that has any conflict of interest with a Client under review shall recuse himself/herself from the proceedings pertaining to that Client.
- Any Member or co-opted experts, or outsourced interested parties who believes that his/her impartiality may be compromised for any reason whatsoever should disclose same to the Committee prior to the discussion and recuse him/her from the proceedings pertaining to that Client.
- Every member of the Committee or co-opted experts, or outsourced interested parties will sign an individual Standard Statement on Confidentiality, Impartiality, Conflict of Interest and Consultation on every verification matter on which he/she may do any work on.
- The Members of the Committee, who were not have been involved in the verification or the decision-making process, are responsible for ensuring that the complaint is conducted according to the documented procedure and within the Complaints Committee Terms of Reference (**IKA-01-CCT**).
- The Complaints Committee evaluates all the existing material in the client file, together with the analyst's report and scorecard, for a review of its score;
- The Complaints Committee reviews the documentation for the verification of that Client to ensure that all steps were handled correctly in accordance with set procedures. The Committee keeps full records of the complaint, its deliberations on the merits and the results of its deliberation in the Complaints file and it further records the actions to be taken.
- On completion of the investigation (within the period of 30 working days), the client is advised, in writing, of the outcome of the Complaint;
- If the investigation confirms that the scorecard is an accurate and fair reflection of the Client's B-BBEE status, the Client is advised that the score has been confirmed; and
- If the Complaints Committee agrees that the score is not valid,
 - the Complaints Committee will appoint a Technical Signatory and Verification Analyst who were not involved in the verification of the measured entity.
 - this verification team will have to address the issues raised by the Complaints Committee and effect the recommended amendments.
 - thereafter, a new Verification Certificate and Scorecard will be issued.
- If the measured entity is not satisfied with the outcome of the complaint, the measured entity can submit the dispute to mediation to be administered by the Arbitration Foundation of Southern Africa, upon such terms as agreed upon between the Parties and the Secretariat of the Arbitration Foundation of Southern Africa;
- The decision of the mediator shall become final and binding within 7 (seven) days of delivery thereof to the Parties, unless one or either of the Parties disputes the mediator's decision by

written notice to the other Party within the aforesaid 7 (seven) day period, in which event the dispute shall be referred to arbitration in accordance with the provisions below;

- Failing agreement as referred to above or in the event of either of the Parties furnishing its notice of dispute within 7 (seven) days of the mediator's decision as envisaged in terms of the above clause, the dispute shall be submitted to arbitration for final resolution in accordance with the rules of the Arbitration Foundation of Southern Africa by an Arbitrator or Arbitrators appointed by the Foundation;
- The decision of the mediator and/or arbitrator shall be entered into the Complaints Register.

4. Definitions

Complaint: relates to an issue raised with a procedure followed by the analyst or the behaviour of an analyst whilst performing the verification.