

HANDLING OF COMPLAINTS, APPEALS AND DISPUTES (CAD)

1. Purpose and scope

The purpose of this document is to communicate mPowerRatings' process of handling client and third party complaints, appeals and disputes.

2. Definitions

Appeal: A serious or urgent request made typically by a client.

Complaint: A statement that a situation (i.e. service being offered) is unsatisfactory or unacceptable

Dispute: A disagreement, argument or debate.

BEE: Black Economic Empowerment

3. Description

3.1 Policy

This document is applicable to all Measured Enterprises (ME's) verified by mPowerRatings and all clients of the measured enterprise (Users of the BEE Verification). There may from time to time be instances of appeal and/or complaint but a distinction needs to be drawn between the differences.

- an appeal is against a technical issue relating to the score
- a complaint relates to procedure
- a dispute relates to finding closure to the appeal or complaint should either party not accept the outcome.

mPowerRatings acknowledges that there is a possibility that the client might wish to appeal their rating and that they have the right to do so within reason. Similarly, should a client feel dissatisfied in any way with the verification process, then this too needs to be assessed

HANDLING OF COMPLAINTS, APPEALS AND DISPUTES (CAD)

by mPowerRatings with the view to ensuring that there is quick and mutually agreeable resolution, using at all times objective and impartial staff. Complaints can be lodged at any stage in the process as long as this is done in writing and addressed to the Operations Manager. However, an appeal against a Verified Score will need to be lodged at the end of the process once the client has received confirmation of their BEE Preliminary Report from mPowerRatings within 5 working days of receipt of the Preliminary Report. This procedure is in place so that any such appeals or complaints can be dealt with timeously with decisive sensitivity by mPowerRatings so as to ensure that there is successful resolution, that the verification can be concluded, and so that the client and stakeholders remain confident of the process. Where complaints are received from a measured entity (client of mPowerRatings), or from users of the measured entity's BEE Certificate, the complaints process is subject to the requirements of confidentiality as they relate to the complainant and to the subject matter of the complaint.

3.2 Procedure and Implementation process

Process of Resolution of Complaints:

Once the rating has been completed, a BEE certificate will be issued together with a Client Satisfaction Survey form (Form F 040). Should a complaint arise the complaint must be directed to the Operations Manager in the form of the Client Satisfaction Survey form, either via e-mail or post.

In the case of complaints, where the complainant is the client, the client should attempt to resolve the complaint through a written submission to the Operations Manager on form F120. The Operations Manager will in turn document the complaint in the internal F 045 Register and will issue a reference number relating to the complaint received.

Any decision by mPowerRatings to reject a complaint on the basis that it does not comply with the prescribed format or that the subject matter of the complaint is not relevant in terms of the policy as referred to in the Standard Terms and Conditions (Document: L005), will be communicated to the Complainant in writing.

Anonymous complaints shall be summarily rejected as it does not comply with the prescribed format.

HANDLING OF COMPLAINTS, APPEALS AND DISPUTES (CAD)

When complaints are received telephonically, the mPowerRatings Operations Manager will forward the Complaints form (F120) to the complainant.

Where relevant, complaints lodged shall be dealt with in accordance with the Protected Disclosures Act, 2000 (Act No 26 of 2000) and in terms of the corresponding policy and procedures of mPowerRatings.

It should be noted that complaints may contain elements of more than one category of complaints as listed above. In such instances, the complaint should be dealt with in accordance with each of the relevant procedures.

mPowerRatings will ensure that complaints are dealt with in a professional, honest, and impartial manner.

Resolution of complaints:

After submission of a complaint, the Operations Manager shall, within a period of five working days, acknowledge submission of the complaint to the Complainant via email.

After acknowledgement of a complaint, a committee shall be set up that includes the Operations Manager, Chief Executive Officer or Managing Director and a Verification Analyst and if the need arises appoint an independent expert on the subject matter to the committee. mPowerRatings shall attempt to resolve the complaint to the satisfaction of all parties involved.

In the event that a complaint is received that does not pertain to the subject matter of complaints requirement as stated in the terms and conditions, mPowerRatings shall notify the client in writing or via e-mail of this fact, and of the appeal procedure as prescribed below in the "Resolution of Appeals" paragraph, within 5 working days after ratification of the decision by the Operations Manager.

The Operations Manager shall report findings with regard to the resolution of the complaint within 24hours of the resolution.

If the Operations Manager is of the opinion that the complaint is frivolous or unfounded or in the event that the Operations Manager disagrees with the complainant, the Operations Manager shall declare a dispute with the complainant in writing. The Operations Manager shall submit the complaint and the background and reasons for the declaration of a dispute to the Complaints Committee for ratification. In the event that the Complaints Committee decides not to ratify the declaration of a dispute, the complaint shall be resolved by the Complaints Department.

HANDLING OF COMPLAINTS, APPEALS AND DISPUTES (CAD)

If the Complaints Committee is unable to resolve the complaint within the allocated 15 working days, the Complaints Committee may approve such a further time period as it may deem necessary for the resolution of the complaint, or it may issue an instruction or other directive in order to resolve the complaint.

In the event of resolution of the complaint within the specified 15 working days, or whatever period thereafter as approved by the Complaints Committee, the Operations Manager shall notify the complainant of the resolution thereof. In the event that the Complaints Committee is of the opinion that the complaint is frivolous or unfounded the Operations Manager shall declare a dispute with the complainant.

In all instances referred to above, the Operations Manager shall notify the complainant of the decision of the Complaints Committee within 24 hours of the committee's decision, and advise the complainant of the appeal procedure. Record of all remedial actions taken will be recorded in writing in the "Report of Complaints, Appeals and Disputes" form by the Operations Manager.

This section should be read in conjunction with the Complaints section above insofar as it relates to and follows onto the Complaints process

The Measured Entity has the opportunity to appeal the findings of their BEE Preliminary Report. This can be done within five working days of receiving the Report. The appeal needs to be in writing, addressed to the Operations Manager, and should be resolved or addressed, as per the company policy on appeals, within 15 working days of receipt.

Where mPowerRatings appoints an external source as an expert, or otherwise as it deems necessary, in order to give an opinion on the appeal, mPowerRatings is responsible for all decisions at all levels of the appeals-handling process.

Investigation of, and decisions on appeals shall not result in any discriminatory actions against the appellant.

The appeals-handling process includes the following elements and methods:

- an outline of the process for receiving, validating and investigating the appeal, and for deciding what actions are to be taken in response to it, and
- a procedure for tracking and recording appeals, including the actions undertaken to resolve them.

Resolution of Appeals:

As soon as the Operations Manager receives an appeal, he or she shall acknowledge receipt of the appeal to the appellant, detailing the procedures to be followed.

HANDLING OF COMPLAINTS, APPEALS AND DISPUTES (CAD)

The Operations Manager will assess and validate the appeal, formulate an approach to investigate the appeal and gather such additional evidence as may be required to make an informed decision.

Any delays in the process will be communicated to all parties concerned, including the appellant.

The Operations Manager shall, within 15 working days of having received the appeal, report back to the Chief Executive Officer or Managing Director of mPowerRatings, his or her findings or failure to do so.

In the event that the appeal is not brought to conclusion by the Operations Manager, the Chief Executive Officer shall appoint a committee to further investigate the matter and to reach a conclusion.

Where a decision regarding an appeal is reached, formal notice of the end of the process will be communicated to the appellant.

A successful appeal will be recorded and notice will be given to the appellant, and an instruction issued to adjust the Report and BEE certificate.

4. Responsible Persons

Chief Executive Officer
Managing Director
Operations Manager

5. Conclusion

mPowerRatings aims to offer the best service to its clients and also resolve any complaints, disputes and appeals in a professional and amicable manner.

6. References

F 120 Clause 17.1.(f) and Clause 18.3.2.1 (b)	F 070 Client Satisfaction Survey form
F 045 Register of all complaints, appeals, disputes	