

Global Network Group

Rules for handling complaints against or among certificate holders

All references in this document are made against the approved (valid) version of the applicable document.

All public documents are published on our websites.

Questions? Contact us!

Complete the question-webform on our website or call:

+61 (0)8 6388 9770 (Australia)
+32 (0)1667 9151 (Belgium)
+49 (0)32 21 100 1000 (Germany)
+31(0)88 0038 777 (Netherlands)
+27 (0)10 593 5017 (South Africa)
+44 (0)1904 909 250 (United Kingdom)

Document code: GNG.PD.007.INT
Approved by: ICC Council
Version: V1-pilot
Status: Approved



GENERAL CLAUSES

The following applies to this document GNG.PD.007.INT Rules for complaints against or among certificate holders:

1. Document GNG.RD.001.INT List of terms and definitions.
2. Document GNG.RD.002.INT General terms and definitions
3. Document GNG.RD.003.INT General clauses for all documents

The before mentioned documents are published on our websites and hereby to be considered as repeated and inserted.

TABLE OF CONTENTS

RULES FOR HANDLING COMPLAINTS AGAINST OR AMONG CERTIFICATE HOLDERS	3
OBJECTIVES	3
APPLICABLE	3
FILING A COMPLAINT	4
COMPLAINT HANDLING	4
INTAKE	4
HANDLING BY THE PRACTITIONER HIM/HERSELF	6
HANDLING BY THE COMPLAINTS MEDIATOR.....	6
HANDLING BY GLOBAL NETWORK GROUP.....	7
HANDLING BY FOUNDATION ADR PLATFORM	8
SUSPENSION OF THE HEARING AND CONVERGENCE.....	8
COSTS	9
CHALLENGE	10
CONFIDENTIALITY	10
NON-CONFORMITIES	11
ARCHIVE AND INFORMATION	11

RULES FOR HANDLING COMPLAINTS AGAINST OR AMONG CERTIFICATE HOLDERS

OBJECTIVES

- 1.1. The objectives of these rules and regulations are:
 - 1.1.1. To promote and maintain the quality of action and behavior of the practitioners (certificate holders), in the broadest sense, as well as describe a procedure which deals with the settlement of complaints against or among practitioners submitted by practitioners, non-practitioners or supervisors.

APPLICABLE

- 2.1. These regulations are applicable to all practitioners of Global Network Group.
- 2.2. Complainants can be:
 - 2.2.1. natural persons
 - 2.2.2. legal entities
 - 2.2.3. (non) practitioners
 - 2.2.4. governments
 - 2.2.5. The economic sector and professional organizations and bodies when their status is shown from the valid statutes of the entity concerned
 - 2.2.6. Global Network Group it self
 - 2.2.7. Other stakeholders, such to the sole discretion of Global Network Group
- 2.3. The action (performance) of the practitioner will exclusively be tested against the applicable code of conduct, process- and procedure requirements unless otherwise agreed on between complainant and practitioner in a written manner.

FILING A COMPLAINT

- 3.1. The complaint needs to be lodged online by using the official complaint form GNG.FO.007.INT (Complaint against or among practitioners).
- 3.2. The complaint cannot be lodged anonymously.
- 3.3. Global Network Group records the date of receipt of the complaint and acknowledges its receipt to the complainant via email.
- 3.4. A complaint qualifies when received in good order, in time and when complete.

COMPLAINT HANDLING

- 3.1. Global Network Group distinguishes:
 - 3.1.1. intake
 - 3.1.2. handling by the practitioner him/herself
 - 3.1.3. handling by the complaints mediator
 - 3.1.4. handling by Global Network Group
 - 3.1.5. handling independently by foundation ADR Platform

INTAKE

- 5.1. Global Network Group handles the intake.
- 5.2. Together with the practitioner and the complainant, the complaint handling method will be selected.

-
- 5.3. Within 2 months after receiving the complaint, Global Network Group decides about further complaint handling:
 - 5.3.1. the complaint is rejected
 - 5.3.2. the complaint is inadmissible
 - 5.3.3. the complaint will be handled by the practitioner
 - 5.3.4. the complaint will be handled by the complaints mediator
 - 5.3.5. the complaint will be handled by Global Network Group
 - 5.3.6. the complaint will be handled by foundation ADR Platform
 - 5.4. If the complaint does not concern a practitioner or does not relate to the personal conduct and behavior of the practitioner, or if the complainant has no substantial interest related to a ruling, Global Network Group will declare the complaint inadmissible.
 - 5.5. A complaint against a branch or professional organization is inadmissible. The present scheme does not provide for corporate rules for complaints and disciplinary action.
 - 5.6. When there is no case, recommendations can be made to the respondent and/or complainant. This can include referring to an authorized agency.
 - 5.7. Global Network Group motivates its decision and communicates in writing with the complainant and practitioner.
 - 5.8. The decision cannot be appealed.

HANDLING BY THE PRACTITIONER HIM/HERSELF

- 6.1. The practitioner is bound to do his/her utmost in order to find an amicable way of solving the case. Global Network Group decides on the timetable. The handling period is limited to a maximum of 6 calendar months.
- 6.2. If the practitioner succeeds in resolving the complaint, the settlement will be recorded in writing.
- 6.3. No appeal can be lodged against an agreed settlement.
- 6.4. If the practitioner does not succeed in resolving the complaint, the assignment will be referred back to Global Network Group. The practitioner will confirm the termination of the assignment in writing to the complainant and Global Network Group. Global Network Group decides on further handling.
- 6.5. Global Network Group charges no costs.
- 6.6. Both parties carry their own costs.
- 6.7. Parties are allowed to be assisted by a solicitor or (legal) advisor

HANDLING BY THE COMPLAINTS MEDIATOR

- 7.1. The complaints mediator guides the practitioner and the complainant in order to settle amicably. Global Network Group decides on the timetable. The handling period is limited to a maximum of 6 calendar months.
- 7.2. If the complaints mediator succeeds in resolving the complaint, the settlement will be recorded in writing.
- 7.3. No appeal can be lodged against an agreed settlement.

-
- 7.4. If the complaints mediator does not succeed in resolving the complaint, the assignment will be referred back to Global Network Group. The complaints mediator will confirm the termination of the assignment in writing to the complainant, the practitioner and Global Network Group. Global Network Group (ADR Register) decides on further handling.
 - 7.5. Global Network Group invoices the practitioner for the costs of the complaint mediator. If the handling concerns complaint handling among practitioners, the practitioners pay on a shared-basis.
 - 7.6. Both parties carry their own costs.
 - 7.7. Parties are allowed to be assisted by a solicitor or (legal) advisor

HANDLING BY GLOBAL NETWORK GROUP

- 8.1. The complaint is handled as internal investigation or negotiated settlement agreement, which is on a voluntary basis accepted by the practitioner and the complainant. The agreement might include a disciplinary sanction.
- 8.2. No requirements apply to the handling period.
- 8.3. Costs might apply.
- 8.4. Parties are allowed to be assisted by a solicitor or (legal) advisor

HANDLING BY FOUNDATION ADR PLATFORM

- 9.1. All other handling procedures will be done independently by the foundation ADR Platform, including:
 - 9.1.1. binding advise
 - 9.1.2. arbitration
 - 9.1.3. disciplinary handling and sanctions
- 9.2. The rules and costs of the foundation ADR Platform apply.
- 9.3. The foundation ADR Platform operates independently from Global Network Group.

SUSPENSION OF THE HEARING AND CONVERGENCE

- 10.1. Global Network Group has the right to decide to suspend the handling in order to await the outcome or verdict of another authority and to take this into consideration with its own handling.
- 10.2. Global Network Group has the right to decide to suspend the handling if according to them an undesired convergence of procedures arises which will have or can have an adverse influence on the handling of the complaint and/or the progress of other procedures or can cause damage to parties.
- 10.3. When a practitioner is also registered or certified by another organization, Global Network Group can decide to deal with the complaint:
 - 10.3.1. parallel at the same time
 - 10.3.2. in a mutual way
 - 10.3.3. to hand it over to the other organization
- 10.4. It is not possible to appeal against a decision as mentioned in the articles herebefore.

COSTS

- 11.1. Global Network Group might charge costs.
- 11.2. Should it be necessary to make costs for external locations, distance (mileage), advisors, experts, in order to hear the complaint, both parties need to give their prior consent and the costs resulting from this will be charged to both parties at cost price.
- 11.3. In exceptional cases, to be determined by Global Network Group, costs can be charged to 1 individual party, or be mitigated.
- 11.4. If the complainant withdraws his complaint, all costs will be charged to the complainant.
- 11.5. Global Network Group is authorized to ask for a deposit or guarantee from the complainant, the respondent or from both parties before hearing the complaint, to cover the costs which will be made.
- 11.6. If a complaint will be lodged by or on behalf of a practitioner and consequently becomes a complaint between practitioners, the costs will be divided on a pro-rata basis unless otherwise decided between both parties. The practitioner in question will be automatically suspended in case of complete and/or partial non-performance.

CHALLENGE

- 12.1. Global Network Group, its crew and management cannot be challenged.
- 12.2. The complaints mediator can be challenged by both parties. For this end, a request for challenge should be lodged by Global Network Group.
- 12.3. Global Network Group (ADR Register) takes a decision within two calendar weeks after the request for challenge has been lodged.
- 12.4. During the handling of the request for challenge, other time limits with regards to treatment, as referred to in these rules and regulations will be suspended and resumed directly after this decision has been taken.
- 12.5. No grounds for challenge are:
 - 12.5.1. being a registered or certified practitioner with Global Network Group or comparable certification body
 - 12.5.2. being active within the scope of the complaint
 - 12.5.3. Being a member of or associated with a branch or professional organization when the status is shown from the valid statutes of the organization concerned.

CONFIDENTIALITY

- 13.1. Global Network Group, the complaints mediator(s), the practitioner(s) and the complainant(s) have an obligation of secrecy with regard to all information, facts and circumstances which they are familiar with from their duties based on these rules and regulations.

NON-CONFORMITIES

- 14.1. At the request of both parties, it is possible to deviate from the stipulated periods in the rules and regulations. To do this a request should be lodged by Global Network Group. Within two calendar weeks, Global Network Group decides about meant request and will inform both parties by return post of the taken decision.
- 14.2. The complainant can withdraw the complaint at all times, unaffected by the provisions in these rules about the costs.
- 14.3. Every natural person, this expressly includes practitioners, can be appointed by Global Network Group as complaints mediator.

ARCHIVE AND INFORMATION

- 15.1. Global Network Group is in charge of registering all documents (the archive) which are linked to these regulations and its execution.
- 15.2. The archive as mentioned in the article herebefore is not accessible for third parties and non-practitioners.
- 15.3. Global Network Group will make an anonymous statement in its annual management review of the number of complaints lodged, the decisions & rulings made and the sanctions that were imposed.