

Dispute Resolution Process

Background

The Assessor Licensing Scheme (ALS) is a scheme designed with the aim of promoting higher quality and more consistent implementation of the High Conservation Value (HCV) approach through a) the **provision of standard tools and methodologies** for assessors and b) **licensing and monitoring of assessors**.

It is designed to assist those commissioning HCV assessments with selecting HCV Assessors who are capable and experienced and to protect the reputation and utility of the HCV concept and Network. However, as with all systems there may be circumstances in which parties disagree and the process described below is available to resolve matters when that happens.

Principles and scope of the dispute resolution process

In general, disputes or complaints will be dealt with through constructive dialogue as close to the source as possible and only escalated to more complex, formal levels as a last resort. If you have a concern or wish to make a complaint please contact the Quality Manager¹ to discuss the matter in the first instance.

There are limitations to the quality assurance that the ALS can provide and therefore to the complaints that can be considered. The licensing scheme focuses on the skills and experience of the practitioners carrying out HCV Assessments and on conformity with the guidance and procedures defined by the HCVRN. The HCVRN is not able to undertake field investigations to test the conclusions nor to investigate any complaints in the field. In the event of a formal complaint that cannot be resolved without going to the field, the assessor and contracting company concerned are recommended to work with the complainants to resolve the problem either through the relevant certification scheme or potentially by engaging another assessor to give a second opinion.

The ALS, including the scope and operation of the dispute resolution process, will be reviewed after the first two years' operation of the ALS.

Who can make a complaint? Complaints to the HCVRN ALS may be received from assessors, organisations commissioning HCV assessments or other stakeholders. A complaint may be submitted jointly by more than one person or organisation, in such cases the complainants will be asked to nominate a contact person who will represent the group.

Complaints will be addressed if they are based on and relate to non-conformance with one or more of the following normative documents which should be identified in the complaint. If the complaint does not relate to compliance with one of these documents it will be considered at the discretion of the ALS Quality Manager:

- Procedure and checklist for evaluating applications to the Assessor Licensing Scheme
- HCV Assessment Manual
- ALS Codes of Conduct
- Public summary template
- Stakeholder consultation template
- HCV Assessment Report template

¹ See the complaints form below for Quality Manager contact details



Document ID	ALS_01_B	ENGLISH
Date	21/09/2015	

- Procedure and checklist for evaluating HCV assessment reports
- Peer review procedure and report template
- HCV Assessor Licensing Course Syllabus

What kind of complaints does the HCVRN Secretariat deal with?

The HCVRN Secretariat is responsible for addressing complaints that relate to:

- The licensed status of an assessor
- The performance of an assessor carrying out an HCV Assessment as a Licensed Assessor.
- The compliance of an HCV Assessment with normative documents if it is described as being carried out by an HCVRN Licensed Assessor. Licensed Assessors are free to undertake work outside the HCVRN framework but in such cases they must not refer to their status as Licensed Assessors and this Dispute Resolution Process does not apply.
- The performance or behaviour of the staff managing the ALS.
- Performance or decisions of a Quality Panel member
- The ALS system or its implementation, including requirements of the ALS (application for provisional licence, getting a full licence, maintaining a full licence)

The HCVRN Secretariat is not responsible for addressing complaints that relate to:

- How / whether companies apply the recommendations of HCV Assessments (the company and its certification scheme are responsible).
- The certification status of a company that has failed to protect conservation values (the certification and accreditation bodies are responsible).

Where the HCVRN Secretariat is not the responsible body the complainant will be advised or assisted to submit their complaint to the appropriate body.

What will happen if I raise a complaint?

Before submitting a complaint, all stakeholders are strongly encouraged to contact the ALS Quality Manager to (a) determine whether the complaint is valid in terms of the criteria outlined above; and (b) discuss their concern to see if it can be resolved by clarification, and if not, to ensure that it is a complaint that should be addressed to the HCVRN Secretariat as opposed to elsewhere. After this, if a complaint is submitted using the template provided (below) it is dealt with in the following way.

Step 1: Acknowledgement and assessment. First the ALS Quality Manager acknowledges receipt of the complaint, then considers carefully (by asking additional questions if needed) whether the issue represents a valid complaint relating to the ALS, and if so, what the root cause of the problem is likely to be. Is it about non-compliance with the rules and guidelines or is it that the complainant does not agree with the rules as they are? Also is the ALS the most appropriate place to resolve the issue or should it be resolved elsewhere? Has the complainant sought to address the issue directly with the party responsible and if so, what was the outcome? Once the answers to these questions are clear an appropriate approach for resolving the issue is determined. *Time frame: 10 working days to acknowledge and assess complaint.*

Step 2: Informal Resolution. The ALS Quality Manager makes a recommendation to the HCVRN Secretariat management after discussing the issue with both parties. The Secretariat proposes either a solution or a mechanism for resolving the issue over time, which may require monitoring. *Timeframe: 30 days to propose solution.*

Step 3: Formal dispute resolution. If the complainant is not satisfied with the informal resolution, they can ask that a formal complaint is raised and is addressed by a Dispute Resolution Panel. This Panel is assembled by the HCVRN Secretariat (ALS Quality Manager) to address a specific complaint and made up of three people (with the option of requesting additional expert input). A minimum of two and normally all three of the Panel members are drawn from



Document ID	ALS_01_B	ENGLISH
Date	21/09/2015	

the HCVRN Management Committee but others may be included to ensure the right mix of expertise². *Time frame: 60 days to determine the case or reach mutual resolution.*

Step 4: Appeal. If the complainant is still not satisfied, a final effort at mediation, and failing that, arbitration on the case is done by members of the Management Committee of the HCVRN or external experts the Committee designates. *Time frame 60 days to completion.*

Who does what?

- **The HCVRN Secretariat (ALS Quality Manager)** – receives records and acknowledges complaint and collects any additional information needed from both sides. Review of documentary evidence and / or discussion with relevant parties will seek to resolve the issue informally with agreement from both sides. Where this is not possible the Quality Manager will summarise the issues and evidence and make a decision on the complaint, with support from the HCVRN Secretariat team if needed. Where a complaint is about a decision or process within the ALS it should be dealt with at this level, unless it is about the Quality Manager in which case the HCVRN Secretariat management should deal with it. If a complaint requires expert review of documents which cannot be done by the Quality Manager, this can be requested.
- **The HCVRN Management Committee** – takes the role of the Secretariat where the subject of the complaint is the Secretariat management or other.
- **Dispute Resolution Panel** made up of three people drawn primarily from the HCVRN Management Committee selected for each complaint based on a balance of expertise and avoidance of conflict of interest relevant to the specific complainant.
- The full **HCVRN Management Committee** is available as a final arbiter for appeals.

Transparency and Confidentiality

A summary of complaints raised and the outcomes will be available to other stakeholders on request. The summary will state the date and nature of the complaint, the parties to the complaint (unless there are compelling reasons to keep the identity of the complainant confidential) and the outcome. The number and outcome of complaints raised will be monitored and reported periodically to the HCVRN Management Committee to enable continuous improvement of the system.

Cost

At this stage, the HCVRN does not have resources to fund a sophisticated complaints mechanism. The HCVRN Secretariat will, resources permitting, endeavour to provide Steps 1 & 2 of any complaint without cost. Should progression to any further steps be required, the Secretariat reserves the right to allocate costs to parties to a complaint. Should this be necessary, all efforts will be made to minimise costs and to ensure transparency about the allocation of the costs. You should discuss this matter with the Quality Manager before submitting a complaint to ensure that you understand the process and the potential cost implications.

² Once a pool of licensed assessors exists, this may be drawn upon to form the Dispute Resolution Panel.
HCV Resource Network Limited | T: +44 (0) 1865 522279 | info@hcvnetwork.org | www.hcvnetwork.org
HCV Resource Network Limited is a registered company in England and Wales (no. 9710578)



Document ID	ALS_01_B	ENGLISH
Date	21/09/2015	

HCVRN Assessor Licensing Scheme complaint form

Please complete all sections before submission to avoid delay. Submit to qualitymanager@hcvnetwork.org

Complainant's Details	
Name of individual or contact person	
Organisation if applicable	
Full Address	
Telephone Number/s	
Email	
Website (if applicable)	
Connection with HCVRN or ALS if any	
Subject of Complaint's details	
Name of individual (if applicable)	
Organisation if applicable	
Contact details (address, telephone, email, website)	
Details of complaint	
Outline the issue/s you wish to register a complaint about	
Which part of the ALS system do you consider has not been complied with? Please specify the document and section/s.	
What is the evidence that supports your complaint? Attach additional documents or information to support your case.	
Summarise any steps you have taken to resolve the issue directly with the other party. (attach supporting evidence where possible)	
Summarise any suggestions you have for a positive resolution of your complaint.	



Document ID	ALS_01_B	ENGLISH
Date	21/09/2015	

Agreement to abide by the terms of this process. (Link to process). This includes agreement that the ALS may share the information relating to the complaint with the subject of the complaint. If this is not possible please contact the ALS manager in advance.

Signature of complainant or legal representative of organisation

Date of submission



Document ID	ALS_01_B	ENGLISH
Date	21/09/2015	

HCVRN Licensed Assessor Scheme Dispute Resolution Flow Chart

