

# GUYANA NATIONAL FOREST CERTIFICATION SYSTEM

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## COMPLAINTS AND APPEALS HANDLING PROCEDURE



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## **1. Preamble**

These Procedures relate only to the Guyana Forestry Commission's (GFC) roles as the Standardising Body (SB) and the National Governing Body for the Guyana National Forest Certification System (GNFCS). They do not apply to the GFC's role as the regulatory authority for state forests in Guyana.

Wherever reference is made to the term GFC in this document, it therefore refers only to the GFC's role as the Standardising Body and the National Governing Body for the GNFCS.

## **2. Purpose**

This Procedure has been developed to guide the resolution of legitimate complaints and appeals related directly to the GNFCS.

Complaints and appeals may arise during the development and implementation of the GNFCS. These complaints and appeals may relate to the Guyana Standard for Sustainable Forest Management (GSSFM), the Group Certification Standard and the Chain of Custody of Forest and Tree Based Products - Requirements, and the GFC's oversight, management and implementation of the GNFCS. The GFC is committed to addressing, in an effective and efficient manner, any legitimate complaint(s) and appeal(s) related directly to the GNFCS which may arise.

## **3. Scope**

The scope of this Procedure covers legitimate complaints and appeals arising from internal and external stakeholders. It is envisaged that complaints and appeals may relate to:

- the GFC as the Standardising Body and the National Governing Body;
- the Guyana Standard for Sustainable Forest Management;
- the Group Certification Standard;
- the Chain of Custody of Forest and Tree Based Products – Requirements; and
- any other elements of the Guyana National Forest Certification System.

Procedures for dealing with complaints and appeals arising from the work of the National Standard Setting Work Group (NSSWG) are covered separately in the GY-PR-2021-01-Standard Setting Procedure.

#### **4. Normative References**

- None

#### **5. Terms and definitions**

##### **5.1 Appeal**

A written request by any person or organisation (the appellant) for reconsideration of any decision affecting the appellant made by the GFC in its role as either the Standardising Body (SB) or the National Governing Body, where the appellant considers the decision has been taken in breach of the GNFCs requirements or procedures. Such decisions may include but are not limited to:

- Rejection of an application for certification under the GNFCs.
- Rejection of an application for usage of the PEFC Logo.
- Refusal of an application for the notification of certification bodies.

##### **5.2 Complaint**

A written expression of dissatisfaction (other than an appeal) by any person or organisation which relates to the activities of the GFC as either the SB or the National Governing Body.

#### **6. Supporting Documents**

- GNFCs' Complaints and Appeals Register (available at the GFC's website); and
- Records and correspondence related to complaints and appeals (available from the GNFCs Secretariat, located within the GFC at 1 Water Street, Georgetown, Guyana)

## **7. Complaints and Appeals Handling Principles**

- All complaints and appeals shall be directed to the Commissioner of Forests of the GFC, in his/her capacity as the Head of the SB and the National Governing Body.
- All administrative processes related to complaints and appeals, and their resolution shall be managed through the GNFCFS Secretariat within the GFC.
- All complaints and appeals received shall be acknowledged in writing within five working days. All necessary information shall be gathered by the GNFCFS Secretariat to validate the complaint.
- All information related to complaints and appeals shall be evaluated impartially and objectively by the GFC.
- All decisions related to complaints and appeals shall be communicated to the complainant at the end of the investigation process by the GNFCFS Secretariat.
- All complaints and appeals shall be dealt with fairly, transparently and in a timely manner. To assist with this objective, all complainants and appeals should:
  - provide sufficient objective information to substantiate the complaint or appeal so that an objective assessment and thorough investigation can be undertaken; and
  - identify the correspondent and the correspondent's contacts details.

Complaints submitted anonymously will not be accepted as valid and will not be considered.

## **8. Complaint and Appeals Handling Process**

When a complaint or an appeal is received relating to the GNFCFS, the GFC will investigate the complaint or the appeal to ascertain if it is a matter for the GFC. If it is a matter for GFC, the Commission will then:

- advise the complainant within five working days that the complaint or appeal falls within the scope of the roles of the GFC as the SB or the Governing Body and therefore, can be dealt with by the GFC.

- assess the complaint or appeal and classify it according to the type of complaint and appeal (**please see Clause 3-Scope** above);
- refer the complaint or appeal to the GNFC Secretariat; and
- address complaints/appeals based on the procedures outlined in this Procedure.

The GFC will communicate the results of its investigation and any decision or action to the complainant within a time period of three months.

If the complaint or appeal does not fall within the ambit of the GFC's role relating the GNFC, the GFC will suggest to the complainant the appropriate body or authority to whom the complaint/appeal could be referred to.

### **9. Complaints and Appeals Handling Procedure**

It is the responsibility of the complainant to submit written information which can be verified as accurate and correct through an independent source(s).

The GFC, through the GNFC Secretariat, shall first acknowledge to the complainant (in writing), within five working days of receiving the complaint or appeal.

Within a period of three months, the GFC, through the GNFC Secretariat, shall inform the complainant, in writing, of its acceptance/rejection of the complaint or appeal.

If the GFC rejects the complaint or appeal, it shall include a written justification for its rejection in the communication to the complainant/appellant.

Where the complainant has not provided sufficient information to enable investigation of the complaint or appeal, the GFC may request the complainant/appellant to submit additional relevant information.

It is expected that any complaint/appeal which is accepted formally and requiring an on-site investigation, would be resolved within six months, and complaints/appeals not requiring an on-site investigation would be investigated within three months.

Regardless of the outcome of any complaint/ appeal, the complainant/ appellant and the GFC shall each meet their own costs.

In the case where the GFC rejects the complaint/appeal, the GFC shall suggest an alternative means of redress if this is appropriate or necessary.

## **9.1 Special Circumstances**

The GFC will establish an ad-hoc Complaints and Dispute Committee (CDC) comprising of five members, drawn from the main stakeholder groups of the NSSWG, for the purposes of dealing with complaints/appeals which it considers to be of a special circumstance.

- The members of the CDC shall have no vested or conflict of interest in the complaint or appeal.
- The CDC shall appoint a Chair, undertake a thorough investigation and seek a resolution.
- The CDC Chair shall submit in a timely matter, a detailed written report, to the GFC.
- The report shall include a statement indicating whether, or not, the complaint or appeal has been substantiated and recommendations on resolving the complaint/appeal.
- The CDC shall aim to resolve special circumstance complaints/appeals referred to it within six months. Where a special circumstance complaint/appeal requires more than six months, the GNFC Secretariat shall inform the complainant/appellant in writing.

### **10. Documentation**

- The GNFC Secretariat shall keep records relating to the complaints/ appeals, including their receipt; acceptance/rejection, investigation, resolution and communication to the complainant/ appellant.

#### **10.1 Format for recording in Complaints and Appeals Register**

Issues to be recorded in the GNFC's Complaints and Appeals Register shall have the following information:

- Item Number E.g.: 03/2022
- Date of the complaint
- Name and contact details of the complainant
- Recipient of the complaint/appeal
- Summary of complaint/appeal including a list of any supporting documentation
- Proposed response date