

## Complaint & Appeal Resolution Procedure

### 投诉和申诉处理程序

#### 1. OBJECTIVE 目的

The purpose of this procedure is:

本程序的目的在于：

- a) To establish a standard and structured process for the handling of Complaints and Appeals received by Extensive Standard Technical Services Co., Ltd. (hereafter called ESTS)  
建立一个标准和结构化的程序，用以管理泛标技术服务有限公司（以下简称 ESTS）收到的投诉和申诉。
- b) To communicate the standard process to all operations to ensure that all complaints and appeals are handled in a professional and responsible manner.  
将这一程序传达给公司各部门，确保所有的投诉和申诉都以一种专业并且负责任的方式得到解决。

#### ESTS DEFINITIONS 定义

**Complaint:** An expression of dissatisfaction by any person or organization presented to ESTS relating to the certification, auditing or verification activities of ESTS and/or the certification, auditing or verification activities of the clients certified, audited or verified by ESTS.

投诉：指任何人或者任何组织对 ESTS 涉及的认证、审核和核查活动或者经由 ESTS 认证、审核或核查的客户进行的认证、审核或核查相关的活动存在不满。

Note: The **Complaint** could be also the **Grievance** expressed by any interested party related to the certification, auditing or verification activities delivered by ESTS.

注：投诉也可以是来自于 ESTS 执行的认证、审核和核查活动有关的任何有利益相关方表示的不满。

In the context of ESTS certification, auditing or verification program, a Complaint shall include:

在 ESTS 认证、审核和核查项目中，投诉应包括以下信息：

- a) Name and contact information of the complainant, and  
投诉人的姓名和联系方式
- b) A clear description of the issue, and  
对投诉的清晰具体描述
- c) Evidences to support each element or aspect of the complaint.  
支撑投诉的各要素或者各方面的证据。

**Appeal:** A request by the client to the ESTS for reconsideration of a certification, auditing or verification decision or decision made by ESTS relating to that client.

申诉：指客户对 ESTS 所作认证、审核和核查决定的上诉，客户要求 ESTS 重新审查认证、审核和核查结果或者与该客户有关的认证、审核和核查决定。

In the context of ESTS certification, auditing or verification program, an Appeal shall include:

在 ESTS 认证、审核和核查项目中，申诉应包括以下信息：

- a) Name and contact information of the submitter, and  
申诉提交人的姓名和联系方式
- b) A clear description of the issue, and  
对申诉的清晰具体描述

- c) Evidences to support each element or aspect of the appeal  
支撑申诉的各要素或者各方面的证据。

**For FSC program:**

对于 FSC 项目：

**Persistent complaint:** A complaint:

持续投诉：一个投诉：

- a) that has already been resolved and closed; or  
已经解决并结束的； 或者
- b) that has been submitted to any other entity handling complaints in the FSC system and are still under investigation; or  
已提交给 FSC 体系中任何其他处理投诉的实体且投诉仍在调查中； 或者
- c) that is similar to a previously submitted complaint, with no or minor additions/variations and the complainant insists be treated as a new complaint.  
与之前提交的投诉类似， 没有或仅有少量补充/变化， 并且投诉人坚持将其视为新投诉。

**Vexatious complaint:** A complaint:

无理取闹的投诉：一个投诉：

- a) that has already been resolved and closed; or  
已经解决并结束的； 或者
- b) without reasonable or probable cause; or  
没有合理或可能的原因； 或者
- c) without good grounds or merit; or  
没有充分的理由或意义； 或者
- d) meant to cause trouble and harm, namely malicious; or  
意图造成麻烦和伤害， 即恶意； 或者
- e) meant to harass e.g., use of insulting and threatening language.  
意图骚扰， 例如使用侮辱性和威胁性语言。

## 2. GENERAL PRINCIPLES 通则

The submission, investigation and decision on complaints or appeals shall avoid any discriminatory actions against the party. This process must be managed as confidential.

投诉和申诉的提交， 调查和决策应避免对当事方存在歧视性的行为并且确保将此流程作为机密进行处理。

The aggrieved party could send Complaints and Appeals to ESTS Integrity Committee (hereafter called ESTS IC) by email, the email address ([integrity@estsglobal.com](mailto:integrity@estsglobal.com)) is available on the ESTS website: <https://www.estsglobal.com/en/company/policies>.

投诉或者申诉的当事方可通过电子邮件向 ESTS 廉政委员会(简称： ESTS IC)发送投诉和申诉。电子邮件地址 ([integrity@estsglobal.com](mailto:integrity@estsglobal.com)) 可在 ESTS 官网上找到：  
<https://www.estsglobal.com/en/company/policies>.

**NOTE:** For BRCGS program, a client wishing to dispute a non-conformity shall, within seven (7) calendar days of the audit, submit a dispute to ESTS IC by e-mail. The grounds for the dispute shall be fully documented and supporting information shall be provided.

注： 对于 BRCGS 项目， 希望就不符合项提出争议的客户应在审核后 7 个日历日内通过电子邮件向 ESTS IC 争议。争议的理由应有充分的文件证明， 并应提供支持的资料。

**NOTE:** For BRCGS program, a client wishing to exercise its right to appeal a certification decision shall, within seven (7) calendar days of the certification decision, submit the appeal to ESTS IC by e-mail. In line with BRCGS Certification Regulations, appeals received after seven calendar days will not be considered. The grounds for the appeal shall be fully documented and supporting information shall be provided.

注: 对于 BRCGS 项目, 希望行使其对认证决定提出上诉的权利的客户, 应在认证决定作出后的 7 个日历日内, 通过电子邮件向 ESTS IC 提交上诉。根据 BRCGS 认证规定, 7 个日历日后收到的申诉将不予考虑。上诉的理由应有充分的文件证明, 并提供支持资料。

If a complaint is raised against the clients certified, audited or verified by ESTS,  
如果是对 ESTS 的客户认证、审核和核查提出投诉:

- a) ESTS shall retain the anonymity of the complainant in relation to their client, if this is requested by the complainant.

如果投诉人提出要求, ESTS 应保留投诉人对其客户的匿名性。

- b) ESTS shall treat it as stakeholder comments and address it during the next ESTS audit, if the complaint is an anonymous complaint or an expression of dissatisfaction that are not substantiated as complaint.

ESTS 应将其视为利益相关方的意见并且在下次 ESTS 审核时进行处理。如果投诉是匿名的或者只是表达不满将不会被作为投诉处理。

Complaints and appeals received must be recorded and the details are transmitted to the relevant ESTS services for processing. The relevant ESTS services is responsible for gathering and verifying all necessary information (as far as possible) to progress the complaint or appeal to a decision. The decision resolving the complaint or appeal shall be reviewed and approved by the person not involved in the evaluation related to the complaint or appeal.

收到的投诉和申诉必须做好记录并且将相关细节交由 ESTS 相关部门处理。相关部门负责收集并且(尽快)验证所有必要的信息以推进对投诉或者申诉做出决策。解决投诉或者申诉的决定应由未参与投诉或申诉人员进行审核和批准。

**NOTE:** For FSC program, regarding to Persistent or Vexatious complaints:

注: 对于 FSC 项目, 关于持续或无理取闹的投诉:

- a) The presumption should always be that a complaint is made in good faith and that the abuse of the complaints and appeals mechanism is exceptional.

始终应假定投诉是善意提出的, 且滥用投诉和申诉机制的情况属于特殊情况。

- b) The concept of 'abuse' should be understood as the harmful exercise of the complaints mechanism for purposes other than those for which it is designed.

“滥用”的概念应理解为出于其设计目的以外的目的, 不良的利用投诉机制。

- c) Every complaint shall be assessed for admissibility. Even if someone has made persistent or vexatious complaints in the past, it shall not be assumed that any other complaint they make will also be persistent or vexatious.

应评估每项投诉的可受理性。即使某人过去曾提出过持续性或无理取闹的投诉, 也不得假定他们提出的任何其他投诉也将是持续性或无理取闹的。

- d) FSC does not tolerate violence and harassment in any form, whether direct or indirect by any party involved in a complaint.

FSC 不容忍任何形式的暴力和骚扰, 无论投诉涉及的是任何直接还是间接的一方。

An overall review of complaints or appeals process must be part of the annual Management Review.

对客户投诉和申诉处理过程的整体审查必须作为年度管理评审的一部分。

The present Complaint and Appeal resolution procedure is available in the local language of the countries where ESTS operates certification, auditing or verification. ESTS shall respond to Complaint and Appeal in the same language, or shall agree with the submitter on the language used.

目前的投诉和申诉解决程序以 ESTS 执行认证、审核和核查的所在国家的当地语言提供。ESTS 应以相同的语言回应投诉和申诉，或就所使用的语言与提交人达成一致。

Complainant has the opportunity to refer their complaint to the Accreditation Body (AB), including ASI (AB for FSC; MSC; ASC; RSPO schemes, etc.), JAS-ANZ (AB for BRCGS), SAAS (AB for SA8000 program), among others, if the issue has not been resolved through the full implementation of the present procedure, or if the complainant disagrees with the conclusions reached by ESTS and/or is dissatisfied by the way the ESTS handled the complaint. As the ultimate step, the complaint may be referred to the Program/Scheme Owner, including FSC, MSC/ASC, RSPO, BRCGS, SAI, among others.

如果在充分实施目前的程序后问题任未解决，或者当事人不同意 ESTS 达成的结论，或者对 ESTS 处理投诉的方式不满意，应确保当事方有机会将他们的投诉转交给认可机构，如 ASI (FSC; MSC; ASC; RSPO 等项目认可机构)，JAS-ANZ (BRCGS 项目认可机构)，SAAS (SA8000 项目的认可机构) 等。如仍需终裁，投诉可被提交给项目拥有机构，比如 FSC, MSC/ASC, RSPO, BRCGS 和 SAI 等。

### 3. OVERALL PROCESS STEPS 总体步骤

For each complaint or appeal, the following points must be followed:

对于每个投诉或申诉，应按以下步骤进行：

1) Upon receipt a Complaints or Appeals, ESTS IC shall confirm whether the complaint or appeal relates to ESTS certification, auditing or verification activities for which ESTS is responsible and, if so, ESTS IC shall determine which relevant ESTS service is responsible to address it.

接到投诉或者申诉时，ESTS IC 应确认投诉或者申诉是否与 ESTS 负责的认证、审核和核查活动有关。如果是，ESTS IC 应确定哪些部门将负责解决。

Then a suitable qualified internal independent person shall be appointed, by default, the Program Manager is appointed. If the Program Manager is involved in the evaluation process (audit or decision making) related to the complaint or appeal, a new qualified internal independent person is appointed by ESTS IC.

然后，应委任一个合适的有资质的内部独立人员负责执行，默认该人员为项目经理。若项目经理参与了投诉或者申诉的评估过程（审核或者决策），则由 ESTS IC 重新任命新的有资质的内部独立人员。

**NOTE:** For FSC program, the qualified internal independent person shall assess and classify whether a complaint is 'persistent' or 'vexatious'.

注:对于 FSC 项目，有资质的内部独立人员应评估投诉是否属于“持续”或“无理取闹”并进行分类。

A complaint classified as 'persistent' or 'vexatious' is considered inadmissible and can be rejected.

被归类为“持续”或“无理取闹”的投诉将被视为不可受理并可能被拒绝。

The qualified internal independent person shall decide on the inadmissibility of a complaint because of its persistent or vexatious nature.

由于投诉具有持续性或无理取闹的性质，有资质的内部独立人员应决定不予受理。

The decision shall be recorded and communicated to the complainant within (2) weeks of making the decision.

该决定应记录并在做出决定后两 (2) 周内传达给投诉人。

The decision shall be communicated to their next higher level oversight body e.g. ASI, FSC within (2) weeks of making the decision.

该决定应在做出决定后两 (2) 周内传达给下一个更高级别的监督机构，例如：ASI、FSC。

If ESTS identifies the continuous submission of persistent and/or vexatious complaints by a complainant, ESTS may impose further measures to prevent the abuse of the complaints mechanism. These additional consequences shall be proportionate to the abusive conduct of the complainant.

如果 ESTS 发现投诉人持续提交持续性和/或无理取闹的投诉，ESTS 可能会采取进一步措施，以防止滥用投诉机制。这些额外后果应与投诉人的滥用行为相称。

These consequences may include but are not limited to:

这些后果可能包括但不限于：

- a) Placing limits on the number and duration of contacts with staff per week or month;  
对每周或每月与员工联系的次数和持续时间进行限制；
- b) Offering a restricted timeslot for necessary contacts;  
为必要的联系提供有限的时间段；
- c) Limiting the complainant to one method of contact access channel (telephone, letter, email, etc);  
限制投诉人只能使用一种联系渠道（电话、信件、电子邮件等）；
- d) Providing a single point of contact;  
提供单一联络点；
- e) Only considering a certain number of issues in a specific period with a request to prioritize;  
仅在特定期限内考虑一定数量的问题，并要求确定优先顺序；
- f) Responding to the overall issue rather than each and every enquiry or complaint that has been classified as persistent and/or vexatious;  
回应整体问题，而不是回应每一个被归类为持续和/或无理取闹的询问或投诉；
- g) Considering complaints that have been classified as persistent and/or vexatious as stakeholder comments and addressing them during the next audit.  
将被归类为持续性和/或无理取闹的投诉视为利益相关方的评论，并在下次审核期间予以解决。

NOTE: Access to the complaint mechanism is to be ensured and therefore blocking a complainant is not allowed.

注：必须确保投诉机制的使用，因此不允许阻止投诉者。

In most cases such consequences should apply for a limited period of time, e.g. between three and six months but in exceptional cases may be extended. In such cases the restrictions should be reviewed on a regular basis.

在大多数情况下，这些后果应适用于有限的时间段，例如三到六个月，但在特殊情况下可能会延长。在这种情况下，应定期审查这些限制。

2) If the Complaints or Appeals are acceptable, ESTS IC shall acknowledge receipt of a complaint or appeal by email. The complaint and appeal must be recorded by the Program Manager or a qualified internal independent person, if different.

如果投诉或者申诉是可被可接受的，ESTS IC 应通过邮件的形式告知上诉人请求已收到。投诉和申诉必须由项目经理或者有资质的内部独立人员记录。

3) The Program Manager (or qualified internal independent person, if different) shall provide an initial response, including an outline of the ESTS proposed course of action to follow up on the complaint or appeal, within two (2) weeks<sup>[1] [2] [3]</sup> of receiving a complaint or appeal.

项目经理（或者有资质的内部独立人员）在收到投诉或者申诉两周内应提供初步回复，包括告知为解决投诉或者申诉一个整体的解决方式概览。



**[1] NOTE:** In the context of MSC program, an initial response shall be provided within ten (10) working days of receiving a complaint or an appeal, instead of two (2) weeks.

**[1] 注:** 对于 MSC 认证项目, 应在接收到投诉或申诉后的十 (10) 个工作日内提供初步答复, 而不是两 (2) 周。

**[2] NOTE:** For a dispute about BRCGS program, within seven (7) calendar days of the receipt of the dispute, ESTS will acknowledge receipt of the dispute by formal correspondence with the client, unless a decision is forwarded to the client within seven (7) calendar days of receipt of the dispute.

**[2] 注:** 对于关于 BRCGS 项目的争议, 在收到争议后的 7 个日历日内, ESTS 将通过与客户的正式通信确认收到争议, 除非在收到争议后的 7 个日历日内将决定发送给客户。

**[3] NOTE:** For an appeal about BRCGS program, ESTS will acknowledge receipt of the appeal by formal correspondence with the client, within seven (7) calendar days of the receipt of the appeal.

**[3] 注:** 对于关于 BRCGS 项目的上诉, ESTS 将在收到上诉后的 7 个日历日内通过与客户的正式通信确认收到上诉。

4) The Program Manager (or qualified internal independent person, if different) shall monitor the results and keep the complainant(s) / appellant(s) informed of progress in evaluating the complaint or appeal, and have investigated the allegations and specified all its proposed actions in response to the complaint within 3 months of receiving the complaint with the support of relevant ESTS services manager.

在相关部门经理的配合下, 项目经理 (或者有资质的内部独立人员) 必须在收到投诉或者申诉三个月内, 监视处理结果, 告知上诉人评估投诉或者申诉的进展情况, 是否已就有关投诉进行调查, 并就其回应投诉的所有拟议行动作出具体说明。

**NOTE:** For a dispute about BRCGS program, competent personnel who were not involved with the audit process related to the dispute will perform the investigation. The investigation may include a review of the client's documented dispute, related reports, and consultation with the audit team members as well as with the client's management.

注: 对于关于 BRCGS 项目的争议, 将由未参与与争议有关的审核过程的有能力的人员进行调查。调查可能包括审查客户的争议文件、相关报告, 以及与审核团队成员、客户管理层之间的协商。

**NOTE:** For an appeal about BRCGS program, the appeal will be processed by a panel of three (3) members appointed by ESTS IC. The personnel engaged in the appeals-handling process are different from those that carried out the audits, made the certification decisions, and were involved in the processing of any related dispute. The panel is responsible for investigating, validating, and documenting the resolution of the appeal. Members of the Appeals Panel will make judgment based on facts and evidence provided. The Appeals Panel may elect to hear oral testimony from both parties.

注: 对于关于 BRCGS 项目的上诉, 将由被 ESTS IC 委任的 3 名成员组成的委员会进行处理。参与上诉处理过程的人员与执行审核的人员、做了认证决定的人员、以及参与了任何相关争议的处理人员不同。该小组负责调查、确认和记录上诉的决议。上诉委员会成员将根据所提供的事实和证据作出裁决。上诉委员会可以选择听取双方的口头证词。

5) The Program Manager (or qualified internal independent person, if different) and ESTS IC shall review and approve the decision resolving the complaint or appeal, and notify the complainant/appellant once the complaint or appeal is considered to be closed, meaning that the ESTS has gathered and verified all necessary information, investigated the allegations, taken a decision on the complaint and responded to the complainant/appellant.

项目经理 (或者有资质的内部独立人员) 及 ESTS IC 应审查和批准解决投诉和申诉的决定, 并在投诉被视为关闭时告知当事人。这意味着 ESTS 已经收集并验证了所有的必要信息, 调查了所有指控, 对投诉或者申诉做出了决策并且回复了当事人。

**NOTE:** For a dispute about BRCGS program, ESTS will document the decision related to the outcome of the full and thorough investigation and forward it to the client within thirty (30) calendar days of receipt of information related to the dispute. ESTS IC will also inform the client of right to appeal the decision.

注: 对于关于 BRCGS 项目的争议, ESTS 将记录与全面彻底调查结果相关的决定, 并在收到与争议相关的信息后的 30 个日历日内将全面调查结果交给客户。ESTS IC 还将告知客户其具有对该决定提出上诉的权利。

**NOTE:** For an appeal about BRCGS program, ESTS will provide the appellant with progress reports (if necessary). ESTS IC will document the decision related to the outcome of the full and thorough investigation and forward it to the client within thirty (30) calendar days of receipt of the appeal. The decision of the committee shall be the final decision of ESTS. As per BRCGS Certification Regulations, in the event of an unsuccessful appeal, ESTS has the right to charge costs for conducting the appeal.

注: 对于关于 BRCGS 项目的上诉, ESTS IC 将向上诉人提供进度报告(如有必要)。ESTS 将记录与全面彻底调查的结果相关的决定, 并在收到申诉后的 30 个日历日内将全面调查结果交给客户。委员会的决定为 ESTS 的最终决定。根据 BRCGS 认证规定, 如果上诉不成功, ESTS 有权对上诉收取成本费用。

#### 4. Annexes/Associated documents 附录 / 相关文件

CERT-2018-043.a-VXX-Complaint & Appeal Resolution Procedure Summary (Public Version)