



MPROC2.7_COMPLAINTS & APPEALS

Scope of Procedure:	This procedure specifies the processes for receiving, recording, investigating, and resolving complaints, appeals, and information requests related to verification activities. It ensures impartiality, fairness, and compliance with SANAS R47 requirements.
Responsible Person(s):	Managing Director General Manager Analysts Measured Entity (for submission of requests)
Related Policy and/or Procedure(s):	MPOL9: Confidentiality & Disclosable Information MPOL17: Appeals MPOL18: Complaints
Related Document(s):	MF30: Complaint, Appeal & Information Request Form MF31: Complaints, Appeals & Information Requests Register

Definitions:

Complaints: A formal complaint from a measured entity against the B-BBEE Rating Agency, regarding any issues experienced in relation to the manner in which the analyst carried out the verification activities, or presented themselves throughout the process.

Appeals: A difference between the score a measured entity feels it is entitled to based on the information provided during the verification and the score awarded to the measured entity per their issued B-BBEE Certificate.

***Information Requests:** A request for information regarding the verification process or supporting documentation substantiating a score, from the measured entity or a 3rd party unrelated to the verification, but reliant upon the certificate provided.

2.7.1 Timeframe

All complaints, appeals, and information requests must be resolved within **30 calendar days** from the date of submission.

2.7.2 Submission of Complaints, Appeals & Information Requests

- **Appeals:** Must be submitted on MF30 within **5 business days** of the B-BBEE Certificate issue date. Appeals submitted outside this timeframe will not ordinarily be accepted but may be reviewed for internal improvement purposes subject to resources.
- **Complaints:** May be submitted on MF30 at any stage of the verification process, up to a maximum of **5 business days** after the issue of the certificate.
- **Information Requests:** May be submitted on MF30 at any point during the verification process until the expiry of the certificate.

All submissions must be recorded in the MF31 Register. The Managing Director or delegated authority must appoint an impartial and competent investigator who was not involved in the original verification.



2.7.3 Appeals Procedure

1. The measured entity must complete and submit the MF30: Complaint, Appeal & Information Request Form, detailing:
 - The grounds of the appeal;
 - The issues in dispute; and
 - The desired outcome.
2. The Director or delegated authority must record the appeal in the MF31 Register and review the submission to confirm whether sufficient information has been provided to substantiate the appeal.
 - The number of days between the certificate issue date and the appeal submission date must be recorded.
 - If the appeal is rejected, the measured entity must be informed in writing of the reasons, and the process must be closed and the register updated accordingly.
3. If the appeal is accepted, the Director or delegated authority must appoint an impartial Manager or Technical Signatory, who:
 - Was not involved in the original verification; and
 - Has no involvement in the subject matter of the appeal.
 - If impartiality is assured, the Director or delegated authority may act as investigator.
4. The appointed investigator must notify the measured entity in writing that:
 - The appeal has been accepted and lodged;
 - The name of the independent investigator assigned;
 - The investigation timeframe; and
 - Assurance that no discriminatory action will result from the lodging of an appeal.
5. The investigator must:
 - Complete and sign MF12: Declaration of Impartiality;
 - Conduct a thorough review of the appeal and related documentation; and
 - Record findings in the relevant section of MF30.
 - No additional evidence may be introduced after the certificate issue date; the investigation must be based only on evidence submitted prior to certificate issuance.
6. If the appeal is found to be invalid, the investigator must:
 - Communicate the outcome to the measured entity;
 - Submit results to the Director or delegated authority; and
 - Ensure the appeal is closed and MF31 updated.
 - MSCT may bill the measured entity for time expended.
7. If the appeal is upheld, MSCT must:
 - Issue a revised B-BBEE Certificate with updated rating and issue date, in accordance with MPROC2.4: Re-Evaluations & Special Evaluations;
 - Notify the measured entity of the outcome; and
 - Ensure the measured entity is not billed for the process.
8. The investigator must conduct a Root Cause Analysis of the appeal to determine whether corrective action is required. If required, corrective action must be implemented to prevent recurrence.
9. Once the investigation is concluded, the investigator must submit the completed MF30 to the Director or delegated authority, who must close the appeal and update MF31 accordingly.



2.7.4 Complaints Procedure

1. The measured entity must complete and submit the MF30: Complaint, Appeal & Information Request Form, detailing:
 - The nature of the complaint; and
 - The names of all relevant parties involved.
2. The Director or delegated authority must record the complaint in the MF31 Register and assess whether it relates to activities for which MSCT is responsible.
 - **If unrelated:** Where the complaint concerns matters outside MSCT's responsibility, the Director or delegated authority must communicate this to the measured entity, formally reject the complaint, and close the process in MF31.
 - **If related:** Where the complaint falls within MSCT's responsibility, the Director or delegated authority must appoint an impartial Manager or Technical Signatory not previously involved in the verification or related matter. If impartiality is ensured, the Director or delegated authority may act as investigator.
3. The appointed investigator must notify the measured entity in writing that the complaint has been formally lodged, providing:
 - The name of the assigned investigator; and
 - Confirmation that the matter will be handled impartially, confidentially, professionally, and without undue delay.
4. The investigator must complete and sign MF12: Declaration of Impartiality, then conduct a thorough review of the complaint, recording all findings in the relevant section of MF30.
5. The investigator must communicate the outcome of the investigation in writing to the measured entity, including:
 - Findings of the investigation; and
 - Any corrective action to be taken where MSCT is found at fault, in accordance with MPROC1.5: Corrective Action, to prevent recurrence.
The investigator must finalise the process by updating MF30.
6. The completed MF30 must be submitted to the Director or delegated authority, who must formally close the complaint and update MF31 accordingly.



2.7.5 Information Requests

1. The measured entity must complete and submit the relevant section of MF30, specifying:
 - The documentation requested; and
 - The reason for the request.
2. The Director or delegated authority must record the request in MF31.
3. Before any documentation may be released, the Director or delegated authority must obtain written confirmation from the measured entity's authorised representative.
4. Only once such confirmation is obtained may MSCT release the requested documentation, subject to confidentiality requirements outlined in MPOL9: Confidentiality & Disclosable Information.
5. The Information Request must be closed by updating MF31.

Throughout the handling of complaints, appeals, and information requests, MF31 must be maintained and updated to reflect the status of each case, ensuring that progress can be tracked at any time.

The investigator or responsible person must file all completed documentation and supporting records in the Complaints & Appeals folder, ensuring proper record retention in line with MPOL11: Control & Retention of Records.

Reference to the SANAS R47

- **Clause 19: Appeals** – Documented, impartial, timely appeal-handling process.
- **Clause 20: Complaints** – Documented complaint-handling process ensuring impartiality, confidentiality, and resolution within reasonable timeframes.
- **Clause 21: Records** – Requirements to maintain records of complaints, appeals, and outcomes.