



Verification Appeals Policies and Procedures

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Introduction:

This policy deals with the procedures to be followed by BEE Online staff on receipt of an appeal from a Measured Enterprise or from the general public. This policy further details the conditions under which appeals are validated and procedures to be followed when making a decision on an appeal.

The purpose for this policy is to:

- a) Establish conditions for validating appeals.
- b) Clearly establish the responsibility and authority for decision making on appeals.
- c) To identify the applicable forms to be used when handling appeals
- d) To detail effective guidance for BEE Online staff, on what procedures to be followed when handling Measured appeals.

Policy Statement:

Appeals, requests for reconsideration, may be made in response to verification decisions or actions or company actions. Further, those appeals or requests for reconsideration may be based only upon the grounds that the verification decision of the BEE Online was inappropriate because of errors of fact or failure to conform to BEE Online's published criteria, policies, or procedures. Only conditions known to the BEE Online at the time of the BEE Online's decision will be considered by BEE Online in the cases of appeals or requests for reconsideration.

Procedures:

A description of the appeals procedure is publicly available in the Verification Proposal and is available on BEE Online's website – www.beeonline.co.za)

1. The appellant (authorised representative) will be asked to complete the Appeals Form BO122 and email/ fax to the MD or the Nominated Representative of BEE Online.
2. The Appeal must be made within 30 days of the communication of the original verification decision and in the case of an appeal from the public.
3. This appeal must include the reasons why the verification decision of the responsible BEE Online Verification Team is inappropriate because of either errors of fact or failure of the respective BEE Online Verification Team to conform to BEE Online's published criteria, policies, or procedures.
4. The MD or the Nominated Representative will acknowledge receipt of the appeal by email within 48 hours
5. The Verification Administrator will update the Complaints and BO116 - Appeals & Complaints Log
6. Upon receipt of a notice of appeal, the Managing Director of BEE Online will select up to three members of the BEE Online Senior Verification team to serve as an Appeals Committee. At least one member of this committee will be experienced as a Senior verification analyst or Technical Signatory. This will include the appointment of an Administrator to project manage the appeal and timelines thereof.. The Managing Director of BEE Online will designate one of the committee members as chair of the committee and provide the chairperson with the Terms of Reference of the committee as well as their responsibilities (which includes adherence to milestones, deadlines and deliverables). Any member of the Verification Team involved with any aspect of the

verification of the Measured Enterprise will be excluded from being appointed to the Appeals Committee by the MD

7. Terms of reference

- Committee Members: The MD will base the selection of committee members on independence (i.e. not involved in the original verification), competence – this will be done by reviewing the BO 146 – 01 - BEE Online Skills & Competence Matrix to select individuals with an average level 3 skill. The committee members will be formally notified of their appointment by the MD via email.
- Objectives
 - To investigate the breach and root cause thereof outlined in the complaints form completed by the MD
 - To gather evidence to support the appeal
 - To ensure that the appeal is investigated impartially and confidently
 - To advise the MD on the decision on corrective action to be taken, the decision must be made within 14 days of the convening of the committee

8. The MD will provide the complainant with progress reports by email twice within the 30 day period.

9. The Appeals Committee will be provided with copies of all documentation that has been made available to the Measured Enterprise during the different phases of the verification cycle by the VM, including the Measured Enterprise's due process response and other materials submitted by the Measured Enterprise or the BEE Online Verification Team. The Measured Enterprise may also submit other material it deems necessary to support its appeal. Information submitted by the ME must be confined to the status of the Measured Enterprise at the time of the verification decision of the BEE Online Verification Team and to information that was then available to the BEE Online Verification Team.

10. The original BEE Online Verification Team is asked by the chairperson to submit written materials beyond the statement to the Measured Enterprise and the Verification Report for clarification of its position. Such materials must be provided to the Measured Enterprise and Appeals Committee at least 2 weeks prior to the date of the committee's review meeting. Any rebuttal by the Measured Enterprise must be submitted to the committee at least 1 week prior to the committee meeting.

11. The Appeal Committee will meet and consider only the written materials submitted by the Measured Enterprise and the respective BEE Online Verification Team in determining its recommendation. Representatives from the Measured Enterprise and the BEE Online Verification Team may not attend this meeting. The Appeal Committee's decision is limited to the options available to the BEE Online Verification Team responsible for the verification determination. The Appeals Committee's decision will be reported to the BEE Online executive committee in writing by the appeal committee chair. The decision rendered by the Appeal Committee is the final decision of BEE Online.

12. Escalations will be communicated to all Committee members, including the nominated representative by the Administrator.

13. The Measured Enterprise and the BEE Online Verification Team will be notified in writing of this decision, and the basis for the decision, by the Managing Director within 30 days of the date of receipt of the complaint

14. BEE Online is wholly responsible for the decisions on appeals and any investigation or decisions will not result in discriminatory action being taken against the appellant.

15. Corrective Action will be recommended to the BEE Online executive committee by the Committee Chair.

16. The MD will request an independent VM to implement and monitor the effectiveness of corrective action.

17. In the event the error was found by the committee to have been by BEE Online, a new certificate (as per BOPol16 - Verification Certificates Policy and Procedure) will be issued.

18. If verification activities have found to be affected throughout the organisation, BEE Online will cease operations and advise the DTI.

19. The MD or Nominated Rep will provide the authorised representative of the ME with formal written notification of the end of the Appeals process by email.

20. If the ME is not satisfied with the outcome the MD will advise the ME to contact the DTI.

Related Policies, Procedures and Forms:

BOPol16 - Verification Certificates
BOPol12 - HR Policies & Procedures
BOPol13 - Verification Engagement Policy & Procedure Manual
BOPol10 - Control of Record Policy & Procedures
BO116 - Complaints and Appeals Log
BO146-01 – BEE Online Skills Competencies and Training Tool