

## Table of Contents

<b>1. Definitions</b>	2
1.1 Interpretation	3
<b>2. Nature of Complaints</b>	3
2.1 Natural Justice	3
2.2 Rights	3
<b>3. Scope of Complaints Procedure</b>	4
3.1 Who and what can be complained about?	4
3.2 Anonymous complaint	4
<b>4. Form and Preliminary Assessment of Complaint</b>	4
4.1 Lodging a Complaint	4
4.2 Review of Complaint	5
<b>5. Investigation</b>	5
5.1 Appointment of Investigator	5
5.2 Investigation Process	5
5.3 Timetable for provision of evidence and submissions	5
<b>6. Result of Investigation</b>	6
6.1 Vice President, Operations Notification	6
6.2 Determination	6
<b>7. Notification of Parties</b>	6
<b>8. Referral to Accreditation Bodies</b>	7

## Exemplar Global Complaints Procedure

### 1. Definitions

<b>Appeal</b>	A formal request against a determination
<b>Code of Conduct</b>	The Exemplar Global Code of Conduct
<b>Complaint</b>	A grievance against Exemplar Global certified persons, decisions, service or Training Providers in accordance with clause 3.1 of this complaints procedure by means of Exemplar Global complaint form.
<b>Complainant</b>	The person or organisation making a complaint about Exemplar Global certified persons, decisions, service or Training Providers
<b>Complaints form</b>	The Exemplar Global complaint submission form
<b>Complaints procedure</b>	This complaints procedure
<b>Corrective Action</b>	Internal actions taken by Exemplar Global as appropriate
<b>Customer Charter</b>	The Exemplar Global Customer Charter
<b>Customer Relations Coordinator</b>	The Exemplar Global Customer Relations Coordinator
<b>Determination</b>	The outcome of the review by the Vice President, Operations of a complaint
<b>Disciplinary Procedure</b>	The Exemplar Global disciplinary procedure
<b>Investigation</b>	The review of a complaint
<b>Investigator</b>	The person appointed by the Vice President, Operations to review and investigate a complaint
<b>Party</b>	The complainant or the person who is the subject of the complaint
<b>Sanction</b>	Increased frequency of surveillance of knowledge, skills and attributes. A warning, downgrade in certification or scope or both. Suspension or Withdrawal of Certification under the Exemplar Global disciplinary procedure.
<b>Vice President, Operations</b>	The Exemplar Global Vice President of Operations

## 1.1 Interpretation

In this Complaints Procedure, unless the contrary intention appears:

- (a) Words in the singular number include plural and words in the plural number include the singular;
- (b) Words importing a gender include any other gender; and
- (c) All references to clauses are clauses in this Complaints Procedure.

## 2. Nature of Complaints

### 2.1 Natural Justice

To the extent to which it is possible within the confines of this Complaints Procedure, Exemplar Global will observe the principles of natural justice in the implementation of this Complaints Procedure. In summary, natural justice involves decision-makers informing people of the allegations against them or their interests, giving them a right to be heard (the 'hearing' rule), not having a personal interest in the outcome of a determination (the rule against 'bias'), and making determinations only on the basis of logical proof or evidence (the 'evidence' rule).

In this Complaints Procedure, the 'hearing rule' will be satisfied by affording the parties an opportunity to submit evidence and submissions in relation to a Complaint.

### 2.2 Rights

- (a) The Complaints Procedure neither replaces nor overrides any rights available to a person at law, subject to clause 2.2.(b).
- (b) The Parties acknowledge that they have:
  - (i) No right of action in any court or jurisdiction; and
  - (ii) No right to damages or any form of compensation or indemnity;As against Exemplar Global or any Exemplar Global certified person or Party as a consequence of:
  - (iii) Any costs of any nature which a Party may incur in dealing with a Complaint: or
  - (iv) Any losses or damages of any nature which a party may incur directly or indirectly due to any actions or omission by Exemplar Global staff

### **3. Scope of Complaints Procedure**

#### **3.1 Who and what can be complained about?**

This Complaints Procedure applies to Complaints about Exemplar Global, Exemplar Global certified persons and training providers in relation to one or more of the following:

- (a) Alleged breaches of the Code of Conduct (or Criteria, Procedures, Advisories and other terms of Exemplar Global programs);
- (b) Performance and/or conduct of Exemplar Global, against the Exemplar Global Customer Charter;
- (c) conduct of Exemplar Global certified persons or training providers who act or fail to act in the course of their professional activities in compliance with the Code of Conduct (or Criteria, Procedures, Advisories and other terms of Exemplar Global programs);
- (d) Failing to observe the Code of Conduct (or Criteria, Procedures, Advisories and other terms of Exemplar Global programs), whether intentionally or unintentionally; and
- (e) Failure to comply with the Exemplar Global Criteria, Procedures, Advisories and other terms of Exemplar Global programs.

#### **3.2 Anonymous complaint**

A complaint made anonymously is not a Complaint

### **4. Form and Preliminary Assessment of Complaint**

#### **4.1 Lodging a Complaint**

A Complaint shall:

- (a) Be submitted in writing on the Complaints Form via the Exemplar Global online Portal Complaints system;
- (b) (If a complaint is received otherwise than via the Exemplar Global Online Portal Complaints system or by way of a completed Complaints Form), be referred back to the complainant for submission of the Complaint in accordance with this Complaints Procedure;

## Exemplar Global Complaints Procedure

- (c) Be submitted within 30 days after the conduct which gave rise to the Complaint is alleged to have occurred;
- (d) Disclose the name, address and other contact details of the Complainant;
- (e) Clearly state the nature and circumstances of the Complaint;
- (f) Identify the provisions of the Customer Charter or Code of Conduct [or Criteria, Procedures, Advisories and other terms of Exemplar Global programs] which are alleged to have been breached;
- (g) Have attached to it, such evidence and submissions as the Complainant relies on support of their Complaint; and
- (h) Disclose the names, addresses and other contact details of persons whose evidence will be relied on by the Complainant.

### **4.2 Review of Complaint**

- (a) The Customer Relations Coordinator will receive Complaints submitted via the Exemplar Global website and acknowledge receipt of the Complaint to the Complainant within 3 days of receiving the Complaint.
  - (i) Acknowledgement does not imply that the nature, completeness or correctness of the complaint is verified.
- (b) The Customer Relations Coordinator will refer the Complaint to The Vice President, Operations.
- (c) The Vice President, Operations will exercise their discretion reasonably and determine on the basis of evidence before them if the Complaint discloses a prima facie breach of the Customer Charter, Code of Conduct [or Criteria, Procedures, Advisories or other terms of the Exemplar Global programs] by the person who is the subject of the Complaint.
- (d) The Vice President, Operations may request further information from the Complainant, if The Vice President, Operations considers it necessary to determine if the Complaint discloses a prima facie breach of the Code of Conduct [or Criteria, Procedures, Advisories or other terms of Exemplar Global programs].

## Exemplar Global Complaints Procedure

(e) The Vice President, Operations may apply the “de Minimis” principle to Complaints whose nature and subject matter are minor or trifling and may himself/herself determine such Complaints summarily and without further investigation.

(e) If the Complaint discloses a prima facie breach of the Customer Charter, Code of Conduct, [or Criteria, Procedures, Advisories or other terms of Exemplar Global programs] The Vice President, Operations will:

- (i) appoint an Investigator to investigate the Complaint;
- (ii) notify the Complainant that the complaint has been forward to an investigator; and
- (iii) inform the person who is the subject of the Complaint in writing of the Complaint against them, within 28 days of receiving the Complaint, or of receiving the further information, whichever is the later.

(f) If the Complaint does not disclose a prima facie breach of the Exemplar Global Customer Charter or Exemplar Global Code of Conduct [or Criteria, Procedures, Advisories or other terms of Exemplar Global programs] The Vice President, Operations will dismiss the Complaint and so inform the Complainant in writing.

### **6. Result of Investigation**

#### **6.1 Vice President, Operations Notification**

The Investigator shall report the findings of his/her investigation to The Vice President, Operations.

#### **6.2 Determination**

The Vice President, Operations, having received the result of the Investigation, will make a Determination and if appropriate, impose a Sanction in accordance with the Disciplinary Procedure.

### **7. Notification of Parties**

- (a) The Vice President, Operations will notify the Parties in writing of the Determination and the Sanction imposed, and internal Corrective Action, if any.
- (b) The Vice President, Operations will notify the Parties of their rights to Appeal the Determination in accordance with the Exemplar Global Appeals Procedure.
- (c) A person upon whom a Sanction is imposed following a Determination of a Complaint has a right of Appeal in accordance with the Disciplinary Procedure.
- (d) The Parties will have 14 days from the date of notification of the

## Exemplar Global Complaints Procedure

Determination to lodge an Appeal against the Determination, the Complaint or the Sanction.

### **8. Referral to Accreditation Bodies**

- (a) If a complainant is dissatisfied with the outcome of the complaints handling process, the complainant may refer the complaint to Exemplar Global's Accreditation Body.