

TE Complaints Procedure

Version 1 – August, 2014

Terms

- **Complaint** - a formal expression of dissatisfaction by a third party.
- **Scheme** - any TE standard, its related documentation, and its administration.
- **Scheme Participant** – refers to any certified product, certified site, approved certification body, or contracted accreditation body.

Scope

This procedure covers complaints related to:

1. Compliance with requirements or objectives of a Textile Exchange standard by a scheme participant.
2. Unauthorized, false, or misleading use of a Textile Exchange standard's logo or other claims related to certification; or
3. Textile Exchange as a standards owner and administrator*.

**Complaints about Textile Exchange or its activities outside of the standards are not included within the scope of this procedure.*

Policies

1. Textile Exchange aims to investigate complaints in a fair and balanced manner and to resolve the issues efficiently and effectively.
2. TE seeks to resolve complaints at the lowest and least formal levels.
3. The complaints resolution process may include bilateral discussions, or the optional use of mediation to discuss and attempt to resolve issues before lodging a formal complaint, where this is agreed by both parties.
4. Complaints are accepted from any company, organization or individual.
5. All parties involved in the process are requested to refrain from commenting publicly on a complaint until a decision is made.
6. Records are kept for all complaints, resolutions, and related documentation for five years and are available upon request to interested parties

Complaint Submission Process

1. If the complaint is against a scheme participant, the complainant should address the issue directly with the scheme participant first.
2. If the complainant is not comfortable to address the scheme participant directly, or is not satisfied with the response from the scheme participant, they may then raise the complaint with Textile Exchange.
3. Complaints can be filed with Textile Exchange by any party that is not satisfied with:
 - a. the operation or decisions of a scheme participant in relation to fulfilling Textile Exchange certification or accreditation requirements;

- b. the compliance of a scheme participant with Textile Exchange certification or accreditation requirements
 - c. any scheme participant whose operations or decisions run counter to the objectives of a particular TE standard.
4. All complaints must be submitted in writing, in English, explaining the contact details of the complainant, the nature of the complaint, who or what the complaint is against, what has been done so far, what the complainant's expected outcome is, and including all documented evidence to support the claim. The Textile Exchange *Complaints Submission Form* is available on the TE website and may be submitted by email (integrity@textileexchange.org) or mail: Textile Exchange, 822 Baldrige St., O'Donnell, TX, 79351.
 5. Initially, the complaint is assigned to the 'Evaluator'. The Evaluator is the Textile Exchange Operations and Standards Compliance Manager. Depending on the subject of the complaint the Evaluator may assign the position to another Textile Exchange staff member.
 6. The complainant shall be notified that TE has received the complaint in writing within **two weeks**. Textile Exchange shall assess the complaint submission for completeness and shall have the option to contact the complainant for additional information or clarification, where necessary and with a request to submit within a specified time.

Complaint Resolution Process – Complaints against Scheme Participants

Mediation

1. In the case of a complaint against a Textile Exchange scheme participant that was not resolved by initial communication between the complainant and the scheme participant, Textile Exchange can first offer to provide mediation between the complainant and the scheme participant, to endeavor to resolve the issue before a formal complaint is taken forward.
2. Upon receipt of a complaint, Textile Exchange shall communicate with the complainant to assess openness to mediation. Where this is an option, Textile Exchange shall reach out to the subject of the complaint, provide information about the complaint, and establish whether bilateral or mediated dialogue between the parties is feasible.
3. Mediation shall be time limited and shall have the objective of resolving the complaint. If the complainant is not satisfied with the results of mediation efforts, they can ask that the complaint be taken forward through the formal complaints resolution process.

Formal complaint process relating to scheme participants

1. In cases where the complaint cannot be resolved through mediation, Textile Exchange shall inform the scheme participant that a complaint has been brought against them and the nature of the complaint. The affected scheme participant may provide a response if they wish, but is not required to before Textile Exchange determines that the complaint has merit. They will also have an additional opportunity to provide information during a formal investigation of the complaint.
2. Textile Exchange shall undertake an assessment of the submitted information within **three weeks** to determine whether the complaint has merit. This determination shall be based on whether the complaint raises legitimate and substantiated issues about current scheme participants failing to meet their obligations by the subject of the complaint.

3. During this time, Textile Exchange may approach the complainant for clarification or additional information. Textile Exchange shall also approach the scheme participant against whom the complaint is lodged for similar clarification or additional information.
4. If Textile Exchange determines the **complaint has merit**, Textile Exchange shall communicate this information to the complainant and the scheme participant against whom the complaint is lodged.
5. The scheme participant against whom the complaint was brought shall develop a corrective action plan and timeframe for implementing the corrective actions within **three weeks**.
6. Textile Exchange shall review the proposed corrective action plan and approve if it is likely to lead to satisfactory resolution of the complaint, or shall request changes from the scheme participant within **three weeks**.
7. Textile Exchange shall notify the scheme participant against whom the complaint was brought of the decision. Where necessary, the scheme participant against whom the complaint was brought shall amend their corrective action plan within **three weeks**.
8. Textile Exchange shall then contact the complainant to inform them of the decision and the corrective action plan (CAP). The complainant may appeal against the decision not in their favor within **three weeks**, amending its complaint in consideration of the reasons for rejection.
9. Completion of the CAP will be verified by Textile Exchange after the allotted time.
10. If Textile Exchange determines that the complaint **does not have merit**, Textile Exchange shall note the justification in a written report and shall communicate this to the complainant within **one week** to inform them of the decision and justification. The complainant may appeal against this decision within **three weeks** in writing to Textile Exchange.
11. If an appeal is made by the complainant, it is to amend the complaint in consideration of the reasons for rejection. It will then resend the complaint following the above “Formal complaint process relating to scheme participants” procedure.

Complaint Resolution Process – Complaints regarding logo use or other claims

1. In cases where the complaint relates to logo use or other claims, proof or examples are required.
2. If the complaint is against a scheme participant’s use of logo or claim made, it will follow the above “Formal complaint process relating to scheme participants”.
3. If the complaint is against a non-scheme participant’s use of logo or claim made, Textile Exchange shall undertake an assessment of the submitted information within **three weeks** to determine whether the complaint has merit.
4. If Textile Exchange determines the **complaint has merit**, Textile Exchange shall send a formal written request to cease use of the logo or claim to the non-scheme participant against whom the complaint is lodged.
5. If Textile Exchange determines that the complaint **does not have merit**, Textile Exchange shall note the justification in a written report and shall communicate this to the complainant within **one week** to inform them of the decision and justification. The complainant may appeal against this decision within **three weeks** in writing to Textile Exchange.

Complaint Resolution Process – Complaints against Textile Exchange standard setting procedures or administration

1. In cases where the complaint relates to Textile Exchange as a scheme owner or any of its procedures, Textile Exchange shall forward the complaint and all supporting materials within **two weeks** to the Board of Directors Executive Committee, except in the case where the complaint is against the Executive Committee, in which case the material shall be forwarded to the full Textile Exchange Board. The complaint will identify any staff or Board member involved and their participation will be excluded from the complaint procedures.
2. The Executive Committee (or Board as appropriate) shall undertake an assessment of the submitted information within **three weeks** to determine whether the complaint has merit. This determination shall be based on whether the complaint raises legitimate and substantiated issues about the subject of the complaint.
3. During this time, the Executive Committee (or Board as appropriate) may approach the complainant for clarification or additional information. The Committee may also approach the parties within Textile Exchange against whom the complaint is lodged for similar clarification or information.
4. If the Executive Committee determines the **complaint has merit**, the Committee shall communicate this information to Textile Exchange staff or Board member, if complaint applies to them, by the end of the **three week** period.
5. The Textile Exchange staff shall develop a corrective action plan and timeframe for implementing the corrective actions, and submit it to the Executive Committee (or Board as appropriate).
6. The Executive Committee (or Board as appropriate) shall approve the corrective action plan if it is likely to lead to satisfactory resolution of the complaint, or shall request changes within **three weeks**.
7. The Executive Committee (or Board as appropriate) shall then contact the complainant to inform them of the decision and the corrective action plan.
8. Completion of the CAP will be verified by the Executive Committee after the allotted time to address the issues has passed.
9. If the Executive Committee (or Board as appropriate) determines that the **complaint does not have merit**, the Committee shall note the justification in a written report and shall communicate this to Textile Exchange. The Executive Committee (or Board as appropriate) shall contact the complainant within **one week** to inform them of the decision and justification.
10. Decisions by the Executive Committee are final.
11. If the Executive Committee feels, for any reason, that the complaint should not be handled by the Executive Committee alone, they may choose to engage with a third party arbitrator.

Protection of the Textile Exchange Scheme

Irrespective of the outcome of this Complaint Procedure, Textile Exchange may impose appropriate additional sanctions including legal action if deemed necessary in order to safeguard the credibility of the Textile Exchange Scheme(s).