

DISPUTES AND APPEALS PROCESS

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Document Owner: BRC Global Technical Sector Manager Approver: Technical

Purpose

To describe the process for receiving, evaluating, and making decisions on disputes and/or appeals.

Scope

This process is to be used by Intertek and Intertek’s clients who wish to dispute a nonconformity(ies) or a certification decision, including suspension, withdrawal. It also applies in the case of clients who are not satisfied with the results of the dispute process and wish to appeal the decision.

Definitions

- Dispute: A difference in interpretation of a requirement which justifies formal documentation for further evaluation.
- Appeal: A formal request for reconsideration of any dispute decision or certification decision.

Note

Submission, investigation and decision on disputes and appeals shall not result in any discriminatory actions against the client filing the appeal and / or the dispute.

This process relates to the following BRC Global Standards Schemes -

BRC Global Standard for Food Safety

BRC Global Standard for Packaging and Packaging Materials

BRC Global Standard for Consumer Products

BRC Global Standard for Storage and Distribution

BRC Global Standard for Agents and Brokers

Disputes:

1.1	A client wishing to dispute a non-conformity shall, within seven (7) calendar days of the audit, submit a dispute to Intertek by e-mail: disputes.appeals.ba@intertek.com. The grounds for the dispute shall be fully documented and supporting information shall be provided.
1.2	Within seven (7) calendar days of the receipt of the dispute, Intertek 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.
1.3	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.
1.4	Intertek 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. Intertek will also inform the client of right to appeal the decision.





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Appeals:	
2.1	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 Intertek by e-mail: disputes.appeals.ba@intertek.com . In line with Intertek's BRC Global Standards Regulations document F101-4 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.
2.2	Within seven (7) calendar days of the receipt of the appeal, Intertek will acknowledge receipt of the appeal by formal correspondence with the client.
2.3	Appeals will be processed by a panel of three (3) members appointed by Intertek's management. 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.
2.4	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.
2.5	Intertek will provide the appellant with progress reports (if necessary).
2.6	Intertek 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 Intertek.
2.7	As per clause 7.1 of BRC Global Standards Regulations document F101-4 in the event of an unsuccessful appeal, Intertek has the right to charge costs for conducting the appeal.

Escalation: Applicable to Asda AA Module only	
3.1	The appeals process mentioned in section 2 above is applicable to Asda AA, however, in the event that Intertek is unable to resolve the difference, the final arbitrator of the dispute shall be Asda. Intertek shall inform the sites Asda Category Technical Manager. These arbitration arrangements only apply to Asda AA and they do not apply to appeals against the outcome of the BRC Global Standard for Food Safety audit.

REVISION LOG

Revision #	Description of Change	Release Date
1	New document covering process for BRC Schemes.	07-JAN-2016