

IUCN UK PP Grievance and Appeals Procedure

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1. Purpose

1.1 Objective and Scope

This document sets out the procedure for grievances under the Peatland Code and the process that must be followed for appealing a decision made by the bodies that administer the Peatland Code. It is designed to help ensure that any grievance or appeals under the Peatland Code are dealt with in a timely, open, transparent and inclusive manner.

The types of grievance this procedure document relates to are as follows:

1. Governance – grievances relating to the governance of the Peatland Code and related policies, including for example the [Conflicts of Interest Policy](#).
2. Application of the Peatland Code – grievances relating to the interpretation and application of requirements for projects set out in the Peatland Code and related normative documents (such as the [Peatland Code Guidance Document](#) and the Peatland Code Field Protocol).
3. Service levels and delivery – grievances relating to the levels of service provided by the bodies that administer the Peatland Code and/or third-party Validation/Verification Bodies.
4. Use of the Risk Buffer – grievances relating to a decision of the Peatland Code Executive Board regarding whether an emissions reduction reversal is intentional or unintentional and whether a project is entitled to benefit from the Risk Buffer.

Unless it concerns levels of service provided by Validation/Verification Bodies, this procedure document does not deal with grievances regarding the Validation or Verification of individual projects, including grievances that relate to:

- Validation and Verification opinion statements issued by Validation/Verification Bodies.
- Decisions taken by Validation/Verification Bodies on non-compliance.
- Validation and Verification audits conducted by Validation/Verification Bodies.

To the extent you have such a grievance, you should raise this with the relevant Validation/Verification Body and follow their grievance process.

1.2 Definitions

For the purpose of this document, the following definitions apply:

Appeal: an appeal by a Claimant in respect of a decision of the Disputes Panel regarding a Grievance or a decision of the Peatland Code Executive Board regarding use of the Risk Buffer.

Appeal Committee: an independent committee consisting of three persons who are not linked to the administration of the Peatland Code that is formed to respond to an Appeal.

Claimant: the person or organisation raising a Grievance or an Appeal.

Disputes Panel: an independent panel consisting of five technical experts who are not linked to the administration of the Peatland Code, that is formed to make a decision in respect of a Grievance that has been filed by a Claimant.

Dispute Coordinator: an independent administrative person who will collate a complaint file in respect of a Grievance and, if applicable, an appeals file in respect of an Appeal and act as the liaison between the Claimant and the Dispute Panel and Appeals Committee as appropriate.

Grievance: a “complaint”, “dispute”, “challenge”, “conflict” or any similar grievance that involves dissatisfaction with the matters within scope of this procedure document, as set out in section 1.1 above, excluding any complaint in respect of a decision of the Peatland Code Executive Board regarding use of the Risk Buffer which shall proceed straight to Appeal, as set out in section 3 below.

Validation/Verification Body: has the meaning given in the Peatland Code (and **Validation/Verification Bodies** shall be construed accordingly).

1.3 Disputes Panel:

The Disputes Panel is responsible for considering and making decisions in respect of all Grievances.

The Disputes Panel consists of independent peatland experts who have been appointed due to their experience and expertise in the field of peatland restoration. The individuals comprising the Disputes Panel are not linked to the day-to-day administration of the Peatland Code. In order to be appointed to the Disputes Panel, each member must have completed a conflict of interest check and agreed to terms of reference determined by the IUCN UK Peatland Programme.

The Disputes Panel shall be supported by the Dispute Coordinator, who shall be responsible for collating all information and papers relevant to a Grievance and acting as liaison between the Claimant and the Disputes Panel.

2 Process

To raise a Grievance a Claimant should complete the Claimant Dispute Form and email it to info@iucn.org.uk and peatlandcode@iucn.org.uk.

The following process shall be followed for each Grievance:

Acknowledgement:

- The Dispute Coordinator shall record the Grievance in the Peatland Code complaints log and assign it a unique reference number.
- The Dispute Coordinator shall then acknowledge receipt of the Grievance to the Claimant. Such acknowledgement shall be within 15 working days of receipt of the Claimant Dispute Form and shall quote the reference number.

Information gathering and hearing

- The Dispute Coordinator shall be responsible for collating a complaint file in respect of the Grievance. The Dispute Coordinator may seek clarification or information from the Claimant about the Grievance to finalise the complaint file. The complaint file shall include as a minimum the Grievance and any communications between the Dispute Coordinator and the Complainer, including any additional information provided by the Claimant in respect of the Grievance. The Dispute Coordinator shall check with the Claimant whether they have anything further to add before finalising the complaint file.
- The Dispute Coordinator shall also ask the Claimant whether they wish to have a hearing in front of the Dispute Panel or whether they wish a decision to be made based on the contents of the complaint file.
- The Dispute Coordinator shall provide the complaint file to the Dispute Panel for review and consideration.
- The Dispute Panel shall consider and review all the information received from the Dispute Coordinator, including whether or not the Claimant has expressed a desire to have a hearing in front of the Dispute Panel.
- The Dispute Panel shall make a decision on whether to convene a hearing. Its decision shall be final and shall be communicated by the Dispute Coordinator to the Claimant. If a hearing is considered by the Dispute Panel to be appropriate then the Dispute Coordinator shall liaise with the Claimant and the Dispute Panel to arrange a suitable date for such hearing to take place. Such hearing may be in person or by videoconference, as determined by the Dispute Panel taking account of any submissions from the Claimant.
- Following its consideration of the complaint file and any hearing that takes place, the Dispute Panel shall prepare a draft decision which shall be shared by the Dispute Coordinator with the Claimant for comment.
- The Claimant shall be given a fixed period to comment on the draft decision. Such period shall be determined by the Dispute Panel on a case-by-case basis taking account of all relevant circumstances and shall be notified to the Claimant by the Dispute Coordinator.

Decision

The Dispute Panel shall consider any comments provided by the Claimant following the Claimant's receipt of the draft decision.

The Disputes Panel shall determine the Grievance by majority vote and the outcome will be communicated in writing to the Claimant by the Disputes Coordinator.

The Disputes Panel expects to issue its decision within 90 days of the Claimant Dispute Form having been submitted. In the event the Disputes Panel is unable to make a decision within this timescale the Claimant shall be advised.

The decision of the Dispute Panel may be appealed by the Claimant by following the process set out in section 3 below.

3 Appeals:

A Claimant is entitled to Appeal:

1. any decision of the Disputes Panel in respect of a Grievance which they have raised; or
2. any decision of the Peatland Code Executive Board regarding whether an emissions reduction reversal is intentional or unintentional and whether a project is entitled to benefit from the Risk Buffer,

provided that the Claimant submits its Appeal within 28 days of the date of receipt of the relevant decision by completing the [Appeals Form](#) and sending it by email to peatlandcode@iucn.org.uk.

Emails should contain the subject heading 'Appeal request to the Peatland Code' and should include the unique reference number previously provided to the Claimant.

Appeals are limited to the issues raised and information and evidence provided as part of the original Grievance or reversal notification (as applicable). No new issues, information or evidence will be considered or accepted on appeal. Appeals that seek to introduce new information, evidence and/or arguments that were not raised in the original Grievance or reversal notification and Appeals that are received after the 28 day period shall not be valid.

Provided that the Appeal is validly submitted in accordance with the requirements set out above then it shall be heard by the Appeals Committee and the process set out below shall apply.

Acknowledgement

- The Dispute Coordinator shall record the Appeal in the Peatland Code complaints and appeals log and acknowledge receipt of the Appeal within 15 working days of receiving the Appeals Form.

Review

- The Dispute Coordinator shall be responsible for collating an appeals file for the Appeal. The Dispute Coordinator may seek clarification or information from the Claimant regarding the grounds for appeal. The appeals file shall include

as a minimum the original complaints file (if the Appeal follows a Grievance), the grounds of appeal and any communications between the Dispute Coordinator and the Complainer, including any clarifications provided by the Claimant in relation to the Appeal. The Dispute Coordinator shall check with the Claimant whether they have anything further to add before finalising the appeals file.

- The Dispute Coordinator shall also ask the Claimant whether they wish to have a hearing in front of the Appeals Committee.
- The appeals file shall be provided by the Dispute Coordinator to the Appeals Committee for review and consideration.
- The Appeals Committee shall consider and review the Appeal, including the grounds for appeal submitted by the Claimant, and whether or not the Claimant has expressed a desire to have a hearing in front of the Appeals Committee.
- The Appeals Committee shall make a decision on whether to convene a hearing. Its decision shall be final and shall be communicated by the Dispute Coordinator to the Claimant. If a hearing is considered by the Appeals Committee to be appropriate, then the Dispute Coordinator shall liaise with the Claimant and the Appeals Committee to arrange a suitable date for such hearing to take place. Such hearing may be in person or by videoconference, as determined by the Appeals Committee taking account of any submissions from the Claimant.

Decision

- Following its consideration of the Appeal and any hearing that takes place, the Appeals Committee shall take a vote on whether to accept or reject the Appeal.
- The Appeals Committee shall determine the Appeal by majority vote. Its decision shall be communicated to the Claimant in writing.
- The Appeals Committee expects to issue its decision within 90 days of the Appeal Form having been submitted by the Claimant. In the event the Appeals Committee is unable to make a decision within this timescale the Claimant shall be advised.
- All decisions by the Appeals Committee shall be final.

Annex A: Document Quality Control Information

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Risks mitigation

Having a robust grievance process reduces the risk of reputation to the programme and the code if the grievance can be dealt with in a fair and transparent manner.