



FAIRTRADE AUSTRALIA AND NEW ZEALAND

APPEALS POLICY

1. Purpose of this Document

All Fairtrade ANZ licensees and registered traders have the right to appeal against any certification decision Fairtrade ANZ may make. This document outlines the principles and responsibilities for Fairtrade ANZ.

2. SCOPE

- 2.1 An appeal may be against decisions to deny an application, not to certify an applicant, suspend a certificate, an evaluation decision or to decertify a licensee or registered trader.
- 2.2 This policy defines how such appeals shall be handled.

3. APPEAL PROCEDURE

- 3.1 The right to an appeal lapses 10 business days from the date the certification decision is sent.
- 3.2 In order to appeal, the licensee or registered trader must submit the appeal in writing, outlining the matters in dispute, substantiated with supporting documentation or statements.
- 3.3 A formal acknowledgement of receipt of the appeal shall be made to the appellant within 2 working days. While the appeal is being reviewed, the certification decision will be maintained.
- 3.4 Within 15 working days of receiving the written appeal, the Fairtrade ANZ Certification team shall reconsider the certification decision.
- 3.5 If the Certification team does not agree with the licensee or registered trader about some or all of the matters in dispute, it shall refer the dispute to a specially convened Appeal Committee.
- 3.6 The Appeal Committee members shall be drawn from the following categories of persons:
 - 3.6.1 Fairtrade ANZ Board Members;
 - 3.6.2 Fairtrade ANZ Senior Management;
 - 3.6.3 Fairtrade ANZ Members;
 - 3.6.4 Senior Fairtrade ANZ auditors;
 - 3.6.5 Fairtrade ANZ legal representative;
- 3.7 The Appeal Committee shall comprise at least one FTANZ Senior Management member who shall chair the specific Appeal Committee.
- 3.8 Members of a specific Appeal Committee shall be persons not previously involved in any capacity in the decision being challenged, and must not have any other involvement that impairs their neutrality.
- 3.9 In considering the matters in dispute, the Appeal Committee may seek and consider relevant information from any source.
- 3.10 The Appeal Committee shall consider the matter in dispute within 14 working days of it being referred to them by the Certification team.



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4. GROUNDS FOR AN APPEAL

All appeals must contain grounds for an action as well as information and evidence substantiating the grounds. All appellants must list the grounds on which they base their request for review or appeal. These grounds could include but are not limited to:

- a. Decisions based on irrelevant grounds;
- b. Decisions based on irrelevant information, or information for which there is no credible basis. In general, hear say is treated as information for which there is no credible basis;
- c. Failure to consider relevant information in reaching a decision;
- d. Reasonable apprehension of bias against the appellant;
- e. Unreasonable delay in the decision-making process;
- f. Prejudicial procedural irregularities in reaching the decision;
- g. Disputes about facts relevant to the offending decision;
- h. Disputes about interpretations relevant to the offending decision.

4. OUTCOME OF AN APPEAL

4.1 A decision can have the following outcomes:

- a. **Appeal upheld:** this means that the decision being appealed against will be changed by the certification department. The effect of this changed decision is explained to the appellant with the communication of the decision.
- b. **Appeal denied:** this means that the decision being appealed against is confirmed and will not be changed.

4.1 The Chair of the Appeal Committee shall provide Fairtrade ANZ with a written rationale for the decision made by the Committee.

4.2 The action of the Appeal Committee, including correspondence and records of phone conversations pertaining to the appeal shall be recorded in the licensee file and separately in an Appeal Register. If a sanction arises as a result of an appeal, it shall be recorded in the Fairtrade ANZ sanctions register.

4.3 The decision of the Appeal Committee is Fairtrade ANZ's final position.

5. If the Licensee or Registered Trader is dissatisfied with the outcome, they may refer the matter to Fairtrade International, the owner of the scheme. Fairtrade International cannot overturn decisions, however may correct any errors made.

Version Control History

Date	Changes
April 2013	Original Appeals Policy developed



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April 2018	Appeals policy reviewed and updated in line with current Fairtrade International Assurance Provider Requirements and current Fairtrade ANZ structure
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