



## **LCANZ Procedure for Handling Complaints against LCA Certified Practitioners**

### **PREAMBLE**

This document was originally developed by the American Centre for Life Cycle Assessment (ACLCA) and is based on the procedure dated 5<sup>th</sup> February 2008. It was adapted for LCANZ by the Best Practice Working Group in February 2015.

### **PURPOSE**

This procedure outlines the LCANZ process for handling complaints against individuals that have been certified by LCANZ as practitioners in Life Cycle Assessment (LCA).

### **PROCEDURE**

#### **1. SCOPE**

This procedure outlines the LCANZ process for handling complaints that are received in writing by LCANZ, involving individuals that have been certified by LCANZ as practitioners of LCA including (a) complaints concerning possible violations of the LCANZ Code of Conduct for Certified Practitioners by these practitioners and (b) disputes between certified practitioners.

Complaints against the certification process are not covered by this procedure.

#### **2. DEFINITIONS**

Complainant: person(s) or organisation who raised the complaint.

Complaint: Any formal expression of dissatisfaction raised with LCANZ in regard to LCA practitioners that have been certified by LCANZ about actions involving LCA. This may include any activities perceived to be in violation of pertaining to the LCANZ Code of Conduct. For a copy of the code of conduct please refer to the appendix or the LCANZ website (Google search for LCANZ Code of Conduct).

Appeal: Formal review process when a complaint is not resolved to the satisfaction of the complainant.

#### **3. GENERAL**

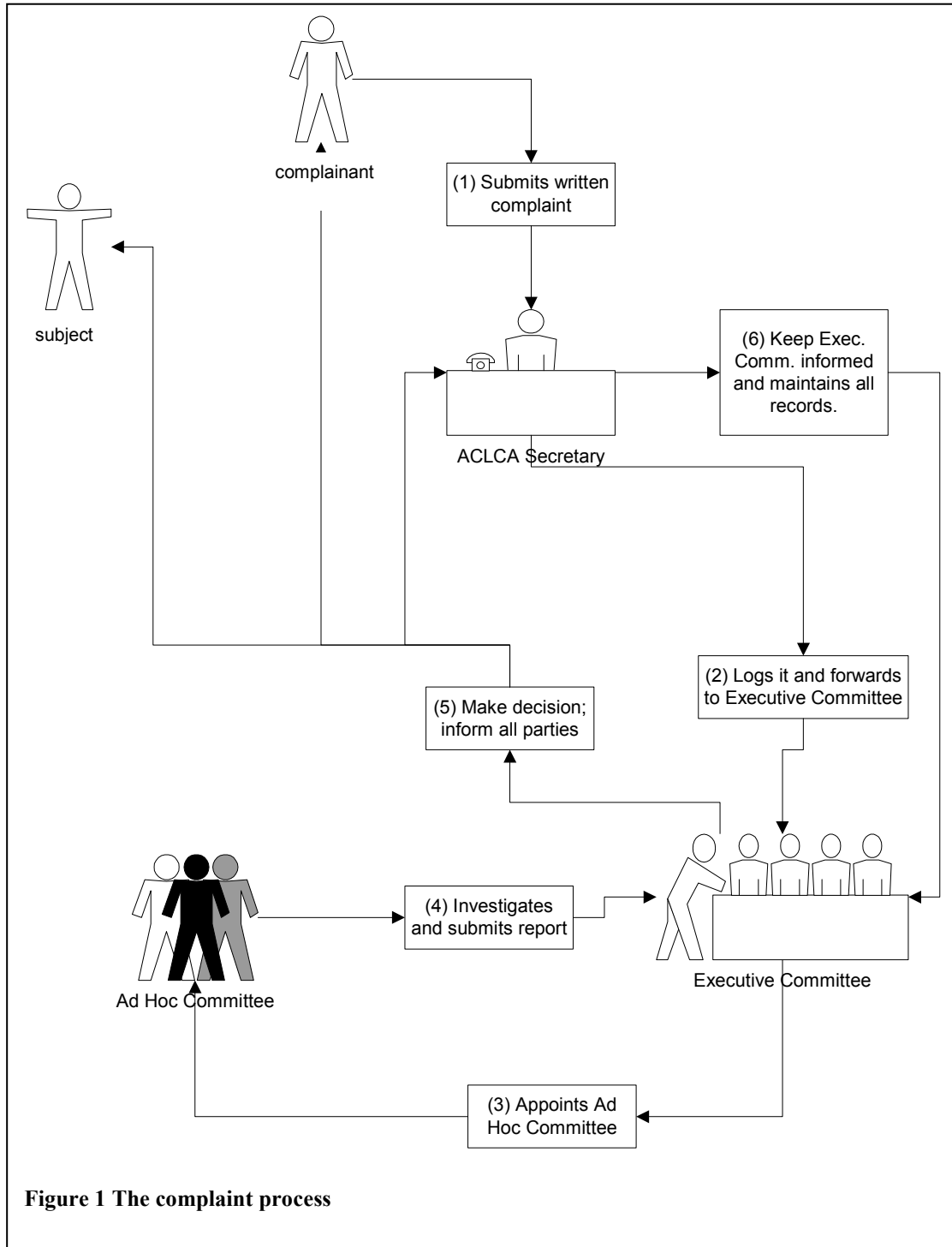
An LCANZ member or any other party who is dissatisfied with any action or decision involving LCANZ certified individuals, has the right to raise the issue. For major complaints (including disputes), the LCANZ Secretary forwards the issue to the LCANZ Executive Committee for resolution. Alternatively for administrative matters, the LCANZ Secretary, after discussion with the LCANZ Executive Committee, may respond to the party concerned on behalf of LCANZ. In the latter case, a full record of the complaint and response will be made available to the Executive Committee.

#### **4. COMPLAINTS PROCEDURE**

**4.1** Maintaining the confidentiality, efficacy and integrity of LCANZ processes is the primary objective when dealing with complaints. The LCANZ Secretary ensures that all LCANZ member organizations and related parties are supported by a fair and effective complaint handling process. The confidentiality, independence and impartiality of all those involved in the complaint is maintained at all times.

**4.2** The process for raising and resolving major complaints is as follows:

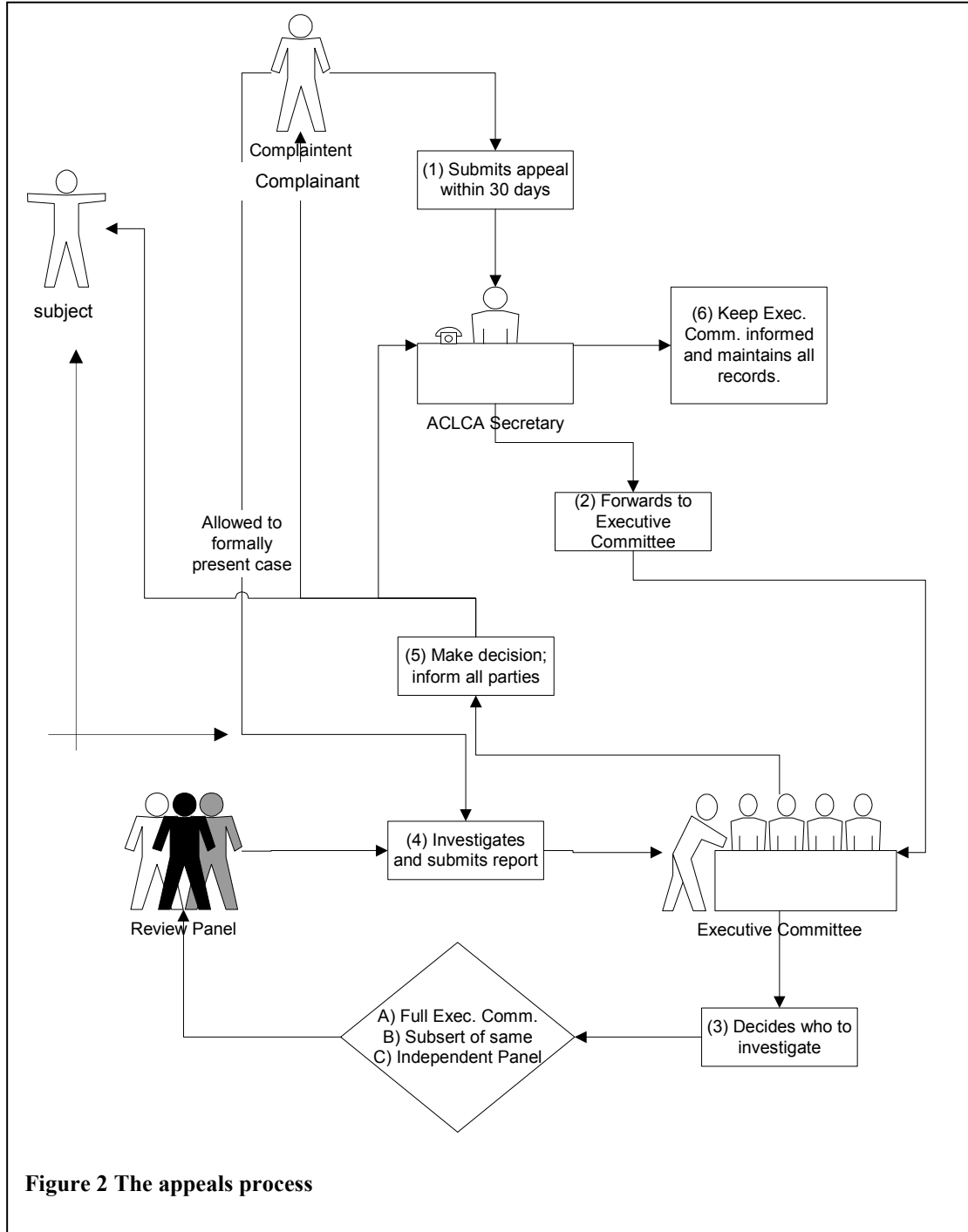
- a) All complaints must be submitted in writing to the LCANZ Secretary before formal investigations proceed. Details of the complaint are logged (a unique number is given, e.g., XX/Year). The LCANZ Secretary forwards the complaint to the LCANZ Executive Committee for review. When a complaint is not formally submitted in writing (e.g. verbal complaint, complaint raised during meetings etc.) the complainant is advised of the need to submit the complaint in writing, before action can be taken.
- b) The LCANZ Executive Committee appoints a minimum of two impartial members of LCANZ and, where appropriate, external experts to investigate the complaint deemed. The team leader of this ad hoc Group must be an Executive Committee member. The appointed members of the ad hoc Group are responsible for reviewing all the reports and documents pertaining to the complaint and ensuring any necessary information is sought from relevant sources.
- c) Upon completion, the team leader of the ad hoc Group is responsible for reporting to the Executive Committee. The team leader provides the Executive Committee with a written report on the findings of the investigation including any recommendations and corrective actions required for the resolution of the complaint.
- d) The Executive Committee considers the ad hoc Group's report and expedites any necessary actions for resolving the complaint.
- e) All parties involved in the complaint are promptly advised in writing of the decision of the Executive Committee. When advising all parties of the decision, information confidentiality of each of the parties involved shall be protected, unless LCANZ has received written permission to release such information to the other parties involved. This should normally be completed within 3-6 months of receipt of the complaint. Complainants are also advised of section 5 of this document if they wish to lodge an appeal.
- f) At each LCANZ Executive meeting the LCANZ Secretary shall provide the Committee with a status of all outstanding complaints.
- g) The LCANZ Secretary shall maintain the following records of all complaints:
  - Members of ad hoc Group;
  - Details of complaint;
  - Investigation documents and report;
  - Decision by Executive Committee;
  - Details of actions taken;
  - Date of resolution and any other comments, as required.



## 5. APPEALS AGAINST COMPLAINT DECISIONS

If a complainant is not satisfied with the decision, a formal request to review the decision must be lodged in writing to the LCANZ Secretary within 30 days of receipt of the notification. The process is then as follows:

- a. The LCANZ Secretary forwards the appeal documents to the LCANZ Committee.
- b. The Committee decides whether an independent review panel, the full LCANZ Committee, or a sub-set of the Committee is required to carry out the review.
- c. The Group appointed in (b) is responsible for reviewing the appeal documentation, investigation report and decision. An opportunity for the complainant and for the subject of the complaint to formally present their case in a hearing must also be provided. Where the review is by an independent panel or a sub-set of the LCANZ Committee a recommendation to the LCANZ Committee must be prepared.
- d. The LCANZ Committee makes the necessary decisions to close out the appeal and recommends appropriate corrective actions.
- e. All parties involved in the appeal are promptly advised of the findings in writing, including the reasons for the decision(s) reached. When advising all parties of the findings, information confidentiality of each of the parties involved shall be protected, unless LCANZ has received written permission to release such information to the other parties involved. The LCANZ Secretary ensures the necessary action for close out of the appeal is completed. This should normally be completed within 3 months of receipt of the appeal.
- f. At each LCANZ Committee meeting the LCANZ Secretary shall provide the Committee with a status of all outstanding appeals.
- g. The LCANZ Secretary maintains the following records of all formal requests for review of an initial decision on a complaint:
  - Members of review panel;
  - Record of review of appeal documentation as per 5(c) and the recommendation to the Executive where applicable;
  - Decision by Executive Committee;
  - Details of actions taken;
  - Date of close out and any other comments, as required.



## 6. FOLLOW-UP ACTIVITIES

LCANZ considers all complaints as a possible opportunity to improve the services of LCA practitioners and based on closed resolutions, may make periodically recommendations to the Professional Development Committee for their consideration.

## **Guidelines to Following the LCANZ Complaint Procedure**

The following narrative from Lauren Bright is guidance to American Centre for Life Cycle Assessment (ACLCA) members of the ACLCA Ad Hoc Ethics Committee.

Following are certain key elements to consider during a proper investigation process.

**1. Administering the process:** To the extent possible, association staff experienced in handling Conduct complaints should make initial contacts, request information, and conduct follow-up activities to ensure standardisation of the process. Send correspondence to and from the parties involved on association letterhead and from association offices. Standardised form letters prepared by legal counsel may be used and amended to fit particular investigations, as appropriate. To avoid the appearance of bias, do not let volunteers play a visible, direct, or significant role in investigating complaints, although they may oversee the scope and parameters of the investigation. However, make sure that volunteers who do participate are either trained in handling Conduct investigations and familiar with association policies and procedures or have prior experience.

**2. Establishing a format for communication:** To reduce the risk that information will be misinterpreted or taken out of context, make sure investigators use written communication whenever possible. Keep oral communication to a minimum. Summarise any oral communication in writing immediately afterward in a way that maintains the facts about the date and nature of the conversation. While electronic mail may be used for certain aspects of the investigation, use it only with extreme caution when referencing particularly sensitive or confidential matters.

**3. Initiating the investigation.** The investigation will likely begin with a designated staff person contacting the complainant to review the salient details of the complaint and to seek additional information, fill in gaps, ask questions, obtain the names of witnesses, and identify other documents or materials that may shed light on the complaint. Investigators should then contact any other individuals mentioned by the complainant, referenced in the supporting documentation, or identified by the investigating committee or other parties as sources of information.

**4. Compiling and verifying information.** If the complaint refers to a report, seminar, mailing, or other materials, it is important to obtain copies of the relevant materials. For example, if it is alleged that a speech contained inaccurate information, obtain a copy of the speech. In addition, if possible, further verify or corroborate information obtained in the course of the investigation. This may involve obtaining relevant materials from a secondary source to ensure that the materials received by the investigating committee are accurate and authentic, having a witness corroborate another individual's testimony, verifying references, and otherwise following up on information obtained during the course of the investigation. Be as thorough as possible in the investigation by contacting people and/or obtaining all relevant material referenced by the complainant, seeking a response from the respondent, and obtaining as much information as reasonably possible given the scope of the investigation.

**5. Ensuring confidentiality.** Treat all communication about the conduct complaint as confidential and remind all individuals contacted regarding the investigation to keep all information related to the complaint--and the fact that a complaint exists--strictly confidential. Clearly mark all documents related to the investigation with the word confidential at the top of every page. Further, keep confidential the identities of the members of the investigating committee involved in reviewing the complaint unless and until a hearing requires disclosure of this information.

**6. Referencing the investigation properly:** In contacting witnesses or seeking documentation, investigators should clearly identify themselves, state that they are representing the association, and state that the purpose of the contact is to obtain information related to the investigation of an



alleged complaint. Also ensure that people contacted understand that this is simply an investigation and no decision has been made as to whether or not any violation has occurred. Re-emphasize the confidential nature of the investigation.

**7. Maintaining impartiality and professionalism:** When conducting an investigation, staff or volunteers must at all times remain impartial and unbiased when communicating with others. Instruct investigators to avoid implying that the complaint is true or that the respondent is already considered guilty, avoid remarks about the respondent that may appear to be defamatory, and avoid unnecessary conversation that is not directly relevant to the investigation. In addition to presenting information that supports the allegations in the complaint, it is also advisable to gather and report information that may refute the allegations.



## The Life Cycle Association of New Zealand (LCANZ) Code of Conduct

The Life Cycle Association of New Zealand (LCANZ) is New Zealand's peak professional organisation for people involved in the use and development of Life Cycle Assessment (LCA).

LCANZ's mission is to provide a focal point for Life Cycle Assessment and Management work conducted in New Zealand. It's our aim to promote networking and knowledge sharing between organisations and people.

A not-for-profit organisation, LCANZ has individual and corporate members from industry, government, academia and service organisations. We welcome membership from people interested in the ethical practice, use, development and interpretation of LCA.

This code of conduct describes the attributes expected of members of LCANZ and as such compliance with this code of conduct is a condition of membership.

### **Personal Conduct**

It is expected that LCANZ members will:

- act ethically, with honesty and integrity;
- contribute to LCANZ to create a safe and productive environment/culture;
- treat fellow members, colleagues, clients for LCA services and the public with respect, courtesy, honesty and fairness, and have proper regard for their interests, rights, safety and welfare;
- not harass, bully or discriminate fellow members, colleagues, clients for LCA services and the public;
- not make improper use of their membership or misrepresent their role in LCANZ to gain advantage for themselves or for any other person;
- not disclose confidential LCANZ information or documents acquired through their membership, other than as required by law or where agreed by LCANZ;
- not make any unauthorised public statements on behalf of LCANZ regarding the business of LCANZ; and
- act in the best interest support and promote the goals and interests of LCANZ.

February 2014



**CODE OF CONDUCT FOR LCA CERTIFIED PRACTITIONER (LCACP)  
MEMBERS CERTIFIED UNDER THE LCANZ CERTIFICATION SCHEME**

Approved by the Board of LCANZ on ????

All members of LCANZ are required to comply with the current LCANZ Code of Conduct. Members, who wish to be recognized as LCACP members are required to keep their membership dues current and comply with the following additional elements of the Code.

- **Confidentiality.** *Committed to maintaining the highest degree of integrity in all dealings with potential, current and past clients, both in terms of normal commercial confidentiality, and the protection of all personal information received.*
- **Duty of Care.** *Advice and services provided will conform to all relevant laws and legislation, and where relevant, applicable national and international guidelines and standards.*
- **Conflict of Interest.** *Conflicts of interest, where they arise, will be made known to clients.*
- **Intellectual Property.** *The moral rights in, and ownership of all intellectual property created in the course of providing services will be agreed with clients in advance of any services being provided. No information relating to any assignment will be discussed or disclosed unless required by law or authorized in writing by the client and/or the organization employing the LCACP*
- **Professional Conduct.** *All activities will be conducted professionally and with integrity. Complete objectivity will be maintained so that issues are never influenced by anything other than the best and proper interests of clients.*
- **Use of “LCANZ” Name.** *LCACP Members may use ‘LCACP Member of LCANZ’ in their business communications but must always add the disclaimer that LCANZ does not bear any legal responsibility relating to the types, outcomes or quality of the services provided by the LCACP Member.*
- **Professional Competence.** *Professional knowledge and skill will be maintained at the level which ensures that clients receive competent professional services based on current developments in practice and techniques, and in accordance with all applicable technical and professional standards. The LCACP Member will not undertake assignments which he/she is not qualified or competent to perform.*
- **Inducements, Commissions.** *Inducements, commissions, gifts or any other benefit will not be accepted from client organizations, their employees or any other interested party, nor will colleagues be knowingly allowed to do so.*
- **Breach of Code.** *No actions will be undertaken that would in any way prejudice the reputation of LCANZ, and the LCACP Member agrees to cooperate fully with any enquiry ensuing from any alleged breach of this Code. (LCANZ has the sole authority*



*to interpret this Code and to take appropriate action in the event of alleged breach, howsoever it arises). “Appropriate action” for proven breaches of this Code can include removal from membership and prevention of the right to claim LCANZ recognized LCACP status.*