American Forest Foundation

Disputes, Appeals, and Feedback Procedures under the American Tree Farm System

Approved by AFF Board of Trustees, June 1, 2023

1. OBJECTIVE

The objective of this guideline is to describe the responsibilities and actions of the American Forest Foundation (AFF) in relation to the investigation and resolution of complaints and appeals, and to establish a mechanism for collecting and recording feedback, under the American Tree Farm System (ATFS). AFF regards all complaints, appeals, and feedback as opportunities for continuous improvement and to implement corrective and preventive measures. AFF is committed to monitoring and achieving continual improvement in all areas of its activities and those of its members.

2. SCOPE

This guideline details procedures for complaints, appeals, and feedback to AFF which concern decisions and/or activities of the American Tree Farm System (ATFS), its Standards and Requirements, and their implementation. Complaints and appeals relating to the decisions and activities of a certified entity; an accredited certification body or an accreditation body shall be dealt with by the complaints and appeals procedures of the relevant accredited certification body; accreditation body; or by the International Accreditation Forum (**www.iaf.nu**).

3. DEFINITIONS

Appeal: Written request by any party (the Appellant) for reconsideration of any decision made by the AFF Board of Trustees, or President or AFF where the appellant considers such decisions have been taken in breach of ATFS's requirements or Standards.

Complaint: Written expression of dissatisfaction (other than appeal) by any person(s) or organization(s), including American Indian Tribes, relating to the activities of AFF, ATFS, or the implementation of its Standards and requirements.

Feedback: Comments, formal requests for interpretation, suggestions for improvements, or requests for clarification, not meeting the definition of an appeal or complaint.

4. COMPLAINTS

4.1) Complaints submitted to AFF shall be limited to concerns or issues regarding the ATFS Standards and their requirements, or operation and implementation of ATFS by its affiliates (frequently known as "state programs"), independently managed groups (IMGs), and individual certificate holders.

4.2) In the event of a complaint being made about the activities of an ATFS State Program, IMG, or individual certificate holder, AFF's role is an indirect one in that it must ensure that the complaint has been dealt with by the respective affiliate through its own complaints/appeals resolution procedures and/or through direct discussion with the complainant.

4.3) It is the responsibility of the complainant to submit written information supporting the complaint which can be verified as accurate and correct through an independent source.

4.4) Complaints submitted regarding a specific certified entity shall be referred to that entity and its certification body, to be resolved under its own procedures.

4.5) All parties, including American Indian Tribes, shall have access to formal legal mechanisms to resolve disputes over landownership, tenure and use rights through applicable US federal law.

4.6) Complaints submitted regarding a specific accredited certification body shall be referred to the relevant certification body's (or bodies') own complaints/appeals resolution procedure.

4.7) Complaints submitted regarding a specific accreditation body shall be referred to the International Accreditation Forum's complaints / appeals resolution procedure (**www.iaf.nu**).

4.8) Regardless of the outcome of any complaint, the complainant and AFF will each meet their own costs.

4.9) It is expected that any formally accepted complaint, not requiring an on-site investigation, should normally be resolved within 3 months.

5. APPEALS

5.1) Appeals submitted to AFF shall be limited to decisions eligible to be made by AFF.

5.2) It is the responsibility of the appellant to submit written information which can be verified as accurate and correct through an independent source.

5.3) Regardless of the outcome of any appeal, the appellant and AFF will each meet their own costs.

5.4) It is expected that any formally accepted appeal, not requiring an on-site investigation should normally be resolved within 6 months.

6. COMPLAINTS,APPEALS, and FEEDBACK ACCEPTANCE

6.1) Complaints, appeals, and feedback shall be submitted via webform available at treefarmsystem.org. Alternately, complaints, appeals, and feedback may be sent to **operations@forestfoundation.org** with “ATFS complaint/appeal/feedback” in the subject line and “ATFS Director” specified in the salutation.

6.2) The ATFS Director decides on formal acceptance of:

a) The complaint and its further investigation provided that the complaint is in accordance with 4.1 and 4.2 and the information supporting the complaint can be authenticated as being in compliance with 4.3,

b) The appeal and its further investigation provided that the appeal is in accordance with 5.1 and the information supporting the appeal can be authenticated as being in compliance with 5.2.

c) Any feedback not meeting the definition of a complaint or appeal, which requires a response from ATFS staff or affiliates.

6.3) The Director shall without delay:

a) Acknowledge to the complainant/appellant/submitter the receipt and subject of the complaint/appeal/feedback. In the case of complaints/appeals, a rejection may be provided with justification if it is not in accordance with clause 4.1, 4.2 or 4.3 (in case of the complaint) or 5.1 (in case of the appeal).

b) In the case of a complaint/appeal, provide the complainant/appellant with details of AFF’s complaints and appeals procedures to ensure that they are clearly understood and refer the complainant/appellant to other parties responsible for resolving the matter as indicated in clauses 4.4– 4.7.

c) In the case of feedback, the Director will provide the submitter with a summary of next steps and timeline for response or, if the feedback is not pertinent to ATFS or its affiliates, a brief explanation as to why the feedback will not be considered. Note: It is expected that a response to feedback can generally be delivered in 10 business days or less.

7. COMPLAINT INVESTIGATION AND RESOLUTION PROCESS

7.1) If the complaint relates to the activities of a Tree Farmer or ATFS affiliate, the Director shall formally bring the complaint and any relevant facts to the notice of the relevant body, and ask the body to provide, within 30 days, a full account of how the complaint has been dealt with and the outcome.

7.2) If the report has not been received from the relevant body, or it has not proved possible to resolve the matter satisfactorily, where the matter relates to AFF, the Director shall, with the approval of the AFF Board of Directors (Board), assign an ad-hoc group comprising one or more persons to investigate the complaint. The investigator(s) shall have no vested or conflict of interest in the complaint.

7.3) This group shall undertake a thorough investigation and seek a resolution and shall submit, in a timely matter, a detailed written report to the AFF Board to be presented by the Director. The report shall include a statement indicating whether, or not, the complaint has been substantiated and recommendations on resolving the complaint.

Note: It is expected that complaints not requiring an on-site investigation should normally be investigated within 1 month.

7.4) The Board shall approve the report.

7.5) The Director shall inform the complainant and other interested parties about the outcomes of the complaint resolution process in writing and sent through registered mail.

7.6) American Indian Tribes are federally recognized and afforded rights as sovereign nations. As such, American Indian Tribes act as their own negotiating bodies according to U.S. Federal law. If a formal complaint is received from an American Indian Tribe regarding legal ownership, tenure or long-term use rights to a property enrolled in ATFS, the Director shall direct the involved parties to resolve their tenure and use rights through available legal channels. All ATFS certified forest owners are required to maintain documentation of legal ownership, tenure and long-term use rights to their property.

8. APPEAL INVESTIGATION AND RESOLUTION PROCESS

8.1) The Director shall, at the discretion of the Board, assign an ad-hoc group, comprising one or more persons, to investigate the appeal. The investigator(s) shall have no vested, or conflict of, interest in the appeal and shall not be involved in the appealed decision.

8.2) The group shall proceed with a thorough investigation of the appeal and submit, in a timely manner, a detailed written report, to the Board , to be presented by the Director. The report shall include a statement indicating whether, or not, the appeal has been substantiated and recommendations on resolving the appeal.

Note: it is expected that appeals not requiring an on-site investigation should normally be investigated within 1 month.

8.3) The Board shall make a final decision on the appeal based on the report.

8.4) The Director shall inform the complainant/appellant and other affected parties, about the outcomes of the appeal resolution process.