



<b>SOP TITLE</b>	<b>Complaint Resolution Process</b>
<b>SOP NO.</b>	<b>1-106</b>
<b>REVISION NO</b>	<b>2.0</b>
<b>PROGRAM</b>	<b>Administration</b>

### SOP Approval Dates

	<b>Initial Approval</b>	<b>Last Revision</b>	<b>Last Review</b>
<b>Committee: Policy</b>	7/12/2011	4/19/2024	
<b>Program</b>	NA		
<b>Policy Committee Review</b>	NA		
<b>TNI Board of Directors Endorsement</b>	9/14/2011	5/8/2024	
<b>Effective Date</b>	9/15/2011	4/19/2024	

## 1.0 Purpose and Applicability

This Standard Operating Procedure (SOP) describes TNI's process for accepting and resolving complaints. The SOP applies to all TNI programs and can be used by TNI members and the public. This SOP applies to any complaints regarding TNI decisions, procedures, or operations except those complaints regarding decisions by a TNI program Executive Committee, which have their own established complaint resolution procedures. This complaint process can be used to bring forward complaints related to Ethics and Conflicts of Interest as described in TNI's Governance Policy (POL 1-124).

## 2.0 Summary

This SOP describes the general process TNI follows to address complaints. Complaints are submitted electronically using a standardized form available on the TNI website. Received complaints are reviewed to determine if they can be accepted under this process. Accepted complaints are assigned to investigating parties. Investigating parties offer recommendations to deciding parties that then determine the disposition of a complaint. A complaint's disposition may be appealed by the complainant. The SOP discusses TNI's procedure for resolving complaints, sets principles for conducting investigations, and establishes expectations for communicating with complainants.

## 3.0 Related Documents

POL 1-108, Complaints  
POL 1-124, Corporate Governance

## 4.0 Definitions

Term	Definition
<b>Accepted complaint</b>	A complaint that TNI staff or the Policy Committee determines falls within the scope of this SOP.
<b>Assigned complaint</b>	An accepted complaint referred by TNI staff or the Policy Committee for investigation.
<b>Deciding party</b>	A body authorized by a TNI program to issue a final disposition on an assigned complaint. Deciding parties include, but are not limited to, a program's Executive Committee, the Policy Committee, the NELAP Accreditation Council, the TNI Executive Committee, or the TNI Board of Directors.
<b>Disposition</b>	A decision by a deciding party in favor of or against a complainant.
<b>Investigating party</b>	A committee, council, board, or team, assigned by TNI staff or the Chair of the Policy Committee to investigate an assigned complaint.
<b>Intake</b>	Procedure for registering complaints related to TNI programs or operations.

## 5.0 Complaint Intake

5.1 Official complaints are submitted electronically on a form available on TNI's website.

5.2 The form requires the following information:

5.2.1 The name of the person or group filing a complaint. If the complaint is submitted by a group, the submission must include a contact name for the group. TNI will attempt to maintain confidential the identity of the complainant, but cannot guarantee confidentiality in all cases. TNI will not accept anonymous complaints under this process. Complaints received related to ethical and confidentiality issues will be directed to the TNI Board

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Chair, TNI Executive Director or the TNI Board Secretary, as appropriate, to further attempt to maintain confidentiality of these matters.

- 5.2.2** A description of the circumstances leading to filing the complaint.
  - 5.2.3** References to applicable documents and sections when a complaint is related to the application of a TNI requirement or procedure.
  - 5.2.4** A description of any actions previously taken by the complainant to attempt to resolve the complaint and the outcome of those actions.
  - 5.2.5** A description of the remedy sought by the complainant.
- 5.3** TNI staff review all submitted forms for completeness, inform the complainant of the receipt of the form, and advise the complainant if required information is missing.

**6.0 Complaint Acceptance**

- 6.1** TNI staff reviews all complete complaint forms and determine whether the complaint falls within the applicability of this SOP.
- 6.2** If TNI staff determines if the complaint falls within the applicability of this SOP, TNI staff decides which party(ies) will address the complaint and informs the complainant that the complaint has been accepted.
- 6.3** If TNI staff cannot determine if the complaint falls within the applicability of this SOP, TNI staff consults with the Policy Committee Chair, who makes a final determination.
- 6.4** If TNI staff determines if a complainant has not been accepted, the complainant is notified and advised of his or her right to request reconsideration of the decision.

**7.0 Assignment for Investigation**

- 7.1** If TNI staff determines that an accepted complaint falls within the scope of a particular executive committee complaint SOP, TNI staff will refer the complaint to that group.
- 7.2** If TNI staff determines that an accepted complaint is an ethical or confidentiality issue, the complaint will be forwarded to the TNI Board Chair and/or TNI Executive Director and/or TNI Board Secretary as appropriate. The complaint will not be forwarded to anyone related to the complaint.
- 7.3** If TNI staff determines that an accepted complaint cannot be addressed by a process similar to Sections 8.1 or 8.2, TNI staff will consult with the Policy Committee Chair for assigning the complaint for investigation.
  - 7.3.1** If the Policy Committee Chair determines that existing complaint resolution processes cannot address the complaint, the Policy Committee Chair must appoint a team to investigate the complaint.
    - 7.3.1.1** The team must consist of at least three TNI members and at least one of them must be a member of the Policy Committee.
  - 7.3.2** If TNI Staff determines that the complaint involves more than one TNI program, multiple committees, the chair of the Policy Committee must appoint a team to investigate the complaint.
    - 7.3.2.1** The team must consist of at least three TNI members and must include at least one member of the Policy Committee and at least one representative from each of the program's committees involved in the complaint.

- 7.3.3** The Policy Committee must consult with the TNI Executive Committee or the TNI Board of Directors for guidance when it is not able to make a clear assignment of an accepted complaint.

## **8.0 Complaint Investigation**

- 8.1** Accepted complaints assigned for investigation must be addressed in a manner commensurate with the nature and scope of the complaint. Investigations must honor the following principles:
  - 8.1.1** Timeliness. Investigating parties should ensure to the extent possible that investigations are initiated and concluded within timelines that are mindful of a complainant's circumstances and do not render irrelevant the possible resolution of a complaint.
  - 8.1.2** Confidentiality. When an investigation cannot ensure a complainant the degree of confidentiality requested, the investigating party should inform the complainant and seek the complainant's permission before continuing with an investigation under this SOP.
  - 8.1.3** Impartiality. Investigating parties should conduct their activities without prejudice, preconceptions, or predetermination of an outcome.
  - 8.1.4** Completeness. Investigating parties should collect and consider all information necessary to arrive at a sustainable decision.
  - 8.1.5** Ethical behavior. All investigations should be conducted in a manner consistent with the codes of ethics for TNI members and agents.
- 8.2** Parties assigned a complaint for investigation may delegate parts of the investigation to others as long as the delegated party follows the principles in paragraph 8.1. The party to which the complaint was assigned is the only one allowed to make a recommendation regarding the disposition of the complaint.
- 8.3** Investigating parties have authority to conduct any activities including, but not limited to, interviews, document examinations, consultations with experts, and review of relevant past decision records to arrive at a conclusion regarding an assigned complaint.

NOTE: Approval by the TNI Finance Committee is also required for investigating activities requiring expenditure of TNI funds.
- 8.4** Investigating parties must document or assemble documents and evidence necessary to arrive at a decision that enables recreating the decision from the retained information by an independent party conversant with the complaint's subject matter.
- 8.5** A complaint investigation concludes with a decision by the investigating party recommending an action to an assigned complaint.
  - 8.5.1** The investigating party must recommend an action in favor or against a complainant.
  - 8.5.2** The investigating party may recommend remedies different from the ones sought by the complainant when it recommends an action in the complainant's favor.
- 8.6** Investigating parties must offer their recommended actions to the applicable deciding party for disposition.
- 8.7** When the assigned complaint involves one program, the Program's Executive Committee is the deciding party.
  - 8.7.1** When the assigned complaint involves more than one TNI program or committees, the investigating party must refer the recommended action to the TNI Board of Directors.
  - 8.7.2** When the assigned complaint does not involve any program, the investigating party must refer the recommended action to the Policy Committee.

## **9.0 Disposition of a Complaint**

- 9.1** The deciding parties identified in paragraph 8.6 must take timely action on recommendations received regarding an assigned complaint.
- 9.2** On occasions when members of a deciding party are a direct party to a complaint, the involved members must recuse themselves and must not be involved in any decisions regarding the disposition of the complaint.
- 9.3** The deciding parties may or may not endorse the recommendations received.
  - 9.3.1** Endorsing a recommendation on the disposition of a complaint requires a simple majority.
  - 9.3.2** Deciding not to endorse a recommendation on the disposition of a complaint requires a super majority.
- 9.4** If a deciding party endorses the investigating party's recommendation, the deciding party must notify the complainant about the disposition of the complaint, including the remedies, if any, offered to address the complaint.
- 9.5** If a deciding party does not endorse the investigating party's recommendation, the deciding party must communicate to the investigating party the reasons for the lack of endorsement and allow the investigating party an opportunity to provide additional information. After considering additional information, the deciding party shall make a disposition of the complaint, document the decision, and notify the complainant.

## **10.0 Appeal of Disposition**

- 10.1** A complainant may, within 30 days of receipt of a complaint's disposition, request an appeal of the disposition to the TNI Executive Committee.
- 10.2** The TNI Executive Committee must review the complainant's case and any additional information provided by the appellant.
  - 10.2.1** If the TNI Executive Committee was the deciding party of the complaint, the TNI Executive Committee must appoint, in consultation with the Policy Committee, a committee of at least three TNI Directors to review the complainant's case and offer a recommendation to the TNI Executive Committee.
- 10.3** If the TNI Executive Committee affirms the disposition of the complaint, the TNI Executive Committee must notify the appellant. The decision of the TNI Executive Committee is final and may not be further appealed.

## **11.0 Communication with Complainant and Tracking Complaints**

- 11.1** Complainants must be informed of the progress made by TNI in addressing their complaints. At a minimum, complainants must be notified of the receipt, acceptance, assignment, and disposition of a complaint. Complainants must be notified of the progress of assigned complaints that, for unforeseen reasons, await disposition beyond three months.
- 11.2** Complainants must be provided contact information of a TNI staff member that can answer questions regarding submitted complaints.
- 11.3** The Policy Committee must provide annual reports to the TNI Board of Directors on the progress of complaints received through this general process.

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**11.4** The TNI programs must include in their annual reports to the TNI Board information on complaints received and investigated.

**11.5** The Policy Committee must monitor trends in complaints and may recommend global changes to operations as a result of complaints.

**12.0 SOP Approved Changes**

Revision No.	Effective Date	Description of Change
0.1	9/2/2012	Reformat to 2010 Organizational change
1.0	4/6/2018	Conforming changes to match Governance SOP 1-124 plus add previously designed flow chart.
1.1	4/20/2018	Modify Sections 7.1 and 7.2 to clarify that only one applies and not both.
2.0	4/19/2024	Changed shall to must. Revised Section 6.3 and 6.4 for clarity. Revised section 8.6 to clearly define deciding parties. Changed remove to recuse in Section 9.2. Deleted section 10.4 related to another step after the “final” step in 10.3. Changes 6 months to 3 months in section 11.1. Other minor editorial corrections. Removed flow chart.