

1. Purpose

- 1.1 SEG or its Conformity Assessment Body (CAB) is sometimes made aware of alleged breaches of the SEG Standard by a certificate holder, or of allegations that might prevent certification during or following assessment. To maintain the credibility of the Standard and to apply consistency and fairness to all certificate holders, SEG must uphold the principles of the Standard and investigate reports of alleged breaches.
- 1.2 This document describes the procedures for investigating alleged breaches of the SEG Standard. It supports and expands upon the SEG Standard Assurance system which is published on the [SEG website](#).

2. Investigations

- 2.1 In all cases, concerns or issues raised by stakeholders regarding the activities of an SEG certificate holder shall be investigated by the Conformity Assessment Body (CAB). Any concerns raised first to SEG (or that SEG becomes aware of through media reports or otherwise) will be delegated to the CAB to investigate. SEG accredited CABs are required to have open, transparent issues resolution policies to address such issues. Only in situations where a party feels that a concern or issue is not satisfactorily addressed should the concern or issue be raised to SEG directly.
- 2.2 It is noted that in the competitive world of business, allegations can be made vindictively by rivals. At the same time, the credibility and reputation of the SEG standard must be maintained. All concerns or issues raised to SEG or a SEG CAB will be taken seriously and will be investigated sensitively and carefully.
- 2.3 Interested parties are encouraged to report suspected transgressions by contacting the SEG standard system manager at: standard@sustainableeelgroup.org. SEG will then require the CAB to investigate. All reports will be treated sensitively and in confidence.
- 2.4 Note that there are four levels of transgression to consider, which will determine the level of investigation, action and potential sanction:-
 - 2.4.1 Transgressions of the Standard
 - a. This is where there has been no suggestion of illegality, but where a breach of the SEG Standard is suspected.
 - b. In this circumstance an investigation will be required. Enquiries shall be made with the client, the source of the report and any relevant authorities to ascertain the strength of evidence.
 - 2.4.2 Under legal investigation
 - a. This is where an organisation, employee or contracted or associated person has been arrested or is being investigated by the police or other enforcement agency.

- b. In these circumstances a certificate would not normally be suspended, unless SEG / the CAB had strong evidence that there is a legal case to answer and that charges are likely to be laid.
- c. In this circumstance an investigation will be required. Enquiries shall be made with the client and the authorities to ascertain the strength of evidence.

2.4.3 Charges laid

- a. This is where the legal authorities have sufficient evidence such that charges have been laid against an organisation, employee or contracted or associated person and the case is likely to be heard in court.
- b. In these circumstances, as there is sufficient evidence for the enforcement authorities to lay charges, SEG / the CAB will consider that there is sufficient evidence, and risk to the credibility of the standard, such that certification will normally be suspended (whether already certified, pending or under assessment).

2.4.4 Convicted

- a. This is where the company or relevant person (company owner/manager/employee) has been convicted of a relevant offence.
- b. The time-period referred to in the SEG Standard, Criterion 1.1 (Legality) is relevant here, and currently, in this circumstance the SEG certificate would normally be withdrawn normally for a minimum of 12 months and up to 24 months, after which time the client can seek re-assessment.

3. Investigation procedure

3.1 Responsibilities

3.1.1 SEG or the CAB will initiate these procedures in the following instances:

- a. A stakeholder or enforcement authority reports an alleged transgression to SEG or the CAB,
- b. A CAB raises an issue of fraudulent, illegal or suspicious behaviour of a client to SEG as the result of an audit.

3.1.2 The CAB shall normally conduct such investigations as they are independent of SEG. They shall conduct the investigation according to their procedures, which are approved under contract with SEG.

3.1.3 The CAB shall not conduct the investigation if there is a dispute between the CAB and the client. In these circumstances SEG shall contract an independent CAB, auditor, investigator or arbitration service.

3.2 Procedure

3.2.1 SEG standard system manager receives report or information of alleged transgression.

3.2.2 SEG system manager delegates to the CAB to investigate.

3.2.3 CAB seeks to verify the report via independent sources, such as police and local enforcement authorities, to understand if the report is credible. Depending on the seriousness of the alleged breach, it may be deemed necessary to suspend the client's certification whilst the investigation is carried out (see 2.4 above).

3.2.4 Allegations are presented to the client, and the client asked to provide an explanation and their version of events in writing within seven days. Clients will be advised that there is a possibility of suspension of certification if a fuller investigation is to be carried out. An on-site

audit may be conducted to verify the claims. All costs will be borne by SEG, until an outcome is reached in step 3.2.8.

- 3.2.5 If those initial enquiries suggest there is no case to answer, there will be no further action – no suspension and no further investigation, and the client will be informed in writing.
- 3.2.6 If, on the balance of probability, it is concluded that there is a case to answer, certification will be suspended, pending the outcome of further investigations. Where charges have been laid (see 2.4.3), certification shall normally be suspended. The suspension will be stopped if and when credible evidence is presented that reverses the balance of probability of guilt.
- 3.2.7 Note: suspension does not mean revocation or withdrawal of a certificate. It is temporary, pending the outcome of further investigations. If found not guilty, the suspension will be lifted and the certificate immediately re-instated.
- 3.2.8 If the client is found guilty of the allegations and causes the scoring of any component to result in the certification to be revoked, the certificate will be revoked for a commensurate period and the client will be charged the costs of the investigation. After that period, the client can seek re-assessment for a new certificate. Note that the timescales in the Standard, Component 1 will apply.
- 3.2.9 If the transgression is an offence under statutory legislation, SEG / the CAB will have the responsibility to report it to the relevant enforcement authority.
- 3.2.10 Investigating alleged breaches of the standard shall be undertaken with great care and balanced objectivity. Clients shall be considered innocent until proven guilty. The balance of probability test will be applied in SEG investigations, whilst in legal cases the test of ‘beyond reasonable doubt’ is applied.

4. Sanctions and outcomes

4.1 Whilst every case is different, and elements of judgement, discretion and consideration of mitigating circumstances shall normally be applied:-

4.2 Breaches of the standard

- a) Revocation of certificate for a period of 3 to 12 months, depending on the severity of the breach,
- b) Invitation to present and implement a corrective action plan within that period, that will reverse and correct the breach(es) and to prevent a recurrence,
- c) Audit by the CAB at the end of that period to check that the corrective actions are in place.

4.3 Breaches of law

- a) Revocation of certificate for 12 – 24 months, depending on the severity of the breach,
- b) Invitation to develop and implement a corrective action plan and apply for re-certification at the end of the period of revocation.

4.4 In all circumstances the client shall be informed of the outcome in writing and, where appropriate, the status of certification will be recorded on the [SEG Certificate Register](#).