

## Complaint policy ICFML certification

### 1) on the result of a certification evaluation

#### A - Formal rules:

According to article 11 and article 12 of the GENERAL TERMS participation ICFML CERTIFICATION

#### Article 11: Certification assessment

Participants in ICFML Certification assessments accept the following rules when participating in any ICFML assessment procedure:

11.1: Participants accept the decision of the ICFML assessor (s) (Qualitative evaluation or quantitative evaluation). The assessor (s) will make the best of their knowledge when evaluating a Participant according to their professional integrity, according to the ICFML criteria for evaluation or certification and on an equal basis (regardless of personal preferences, education, style or negotiation or mediation approach, professional affiliation, region, sex, race, sexual orientation, religion, age or other personal characterizations or affiliations). The Appraiser (s) also respects the confidentiality and privacy of the documents, information collected as part of an assessment.

11.2: Participants who fail the certification may redo it later, a maximum of 3 (three) times within 2 (two) years after its completion. ICFML will attempt to carry out the reassessment by (a) different assessors from previous assessments, if this is possible at the sole discretion of ICFML. The costs of reassessing an assessment in a training or certification are determined on a case-by-case basis. ICFML informs the participant in advance of the costs of a reevaluation.

11.3: Participants in a certification that fail the certification solely on the criteria relating to the written work, or who were unable to send the written work within the deadlines set for such sending, have 6 months from the date of sending the certification result where negative evaluation or lack of work was communicated, to request a new evaluation process of the written work. The reevaluation costs are defined on the ICFML website.

11.4: Participants in a certification that fail certification in another criterion that the written work must repeat the certification.

11.5: Participants who pass the Certification assessment (with quantitative score), can only retake the assessment to improve their results if they accept that the result of the new assessment replace the result of any previous assessment.

11.6: ICFML certifications may be revoked at ICFML's sole discretion, if the Participant is acting in a manner that could be considered detrimental to the image of ICFML or of persons employed or contracted by ICFML, as assessors or trainers; or if a Participant acts in a manner that cannot be considered professional and ethical and consistent with the conduct of a trainer or mediator.

#### Article 12: Applicable law and dispute resolution

These General Terms must be interpreted and applied in accordance with Portuguese law. Any dispute arising in connection with these General Terms or any subsequent changes to this document, including, without limitation, its wording, validity, binding effect,

interpretation, performance, breach or termination, as well as non-contractual claims, must be subject to mediation or ( if mediation is not successful within sixty (60) days from the date of the proposed mediation) by arbitration, in accordance with the Lisbon Chamber of Commerce Rules in effect on the date of such dispute.

The language to be used in all procedures will be Portuguese, unless the participant is of another nationality than that of any country whose official language is Portuguese, in which case the English language must be used. The location of any mediation or arbitration will be Lisbon, in Portugal, and the Participant will accept the jurisdiction of any arbitral tribunal appointed by CCL under this provision. This mediation clause does not prevent ICFML from initiating a debt collection procedure for unpaid invoices, including legal initiation actions in the court competent to collect those debts.

## **B - Informal process:**

### **1) on the quality of classroom training**

For claiming quantitative assessment results under a Certification: Candidates who are dissatisfied with the quality of the assessment , the evaluation result or the conduct of an assessor, may submit a complaint or appeal in writing within 1 month of the date of communication of the assessment to the ICFML Board via email [adminportugal@icfml.org](mailto:adminportugal@icfml.org).

The claim or appeal for re-evaluation must include:

- the requester's name, email address and telephone number,
- the name of the Certification followed
- the date of the assessment,
- the name of the assessor (s),
- the reasoned opinion describing the candidates' dissatisfaction with the process or conduct or with the evaluation result. Upon receipt of a valid and timely complaint or appeal, one of the Directors will do what is necessary to try to resolve the complaint informally.

### **2) on the quality of classroom certification**

Any participant who is not satisfied with the quality level of the way in which the certification was carried out can make a formal written complaint where they must include detailed information on the situation leading to making this complaint.

The ICFML will formally decide within 30 days from the date of receipt of the complaint. The ICFML decision is not subject to appeal and is final.

### **3) formal complaint against a trainer, certification facilitator or assessor**

Any participant who is not satisfied with the quality level can make a formal written complaint against a trainer, certification facilitator or examiner. In this case, in the written request, he / she must include detailed information on the situation that leads to the complaint, namely the reasons why they complain against the trainer, facilitator or assessor. The ICFML will formally decide within 30 days from the date of receipt of the complaint. The ICFML decision is not subject to appeal and is final.

### **4) About quality certification online**

ICFML will establish an ODR Expert Panel composed of mediation professionals who are not trainers or assessors in the ICFML programs to receive complaints or disputes about entry criteria, assessments, performance levels or any other items related to online certification. All complaints or disputes will be handled using an ODR platform and will proceed as follows:

Step 1: Formal notification of the participant that there is a dispute, using a form provided by ICFML.

Step 2: the complaint will be attributed to one of the mediation professionals of the ICDR ODR panel.

Step 3: The designated ODR mediator will work with the party and the ICFML to try to review the problem. If the problem is resolved, the ODR mediator will prepare an agreement for signing by the ICFML and the participant.

Step 4: If the complaint is not resolved, the matter will be referred to a second member of the ODR ICFML Panel who will serve to decide the matter and issue a final decision. The ICFML decision of this second panel member is not subject to appeal and is final.