	Document No	HR/MPPRO/005	
	Version No	018	
	Page 1 of 4		
APPEALS PROCEDURE			
Compiler:	Chantal Robalo	Date of Issue	08 September 2023
Verified by	Zunaid Vallee	Date	08 September 2023
Authorized by	Deirdre Mitchell	Date	08 September 2023

1. Scope

This procedure covers the process to be followed in the event of a client wishing to appeal against the outcome of a BEE verification rating conducted by Honeycomb.

2. Purpose

The purpose of this procedure is to ensure that appeals are dealt with quickly and fairly.

3. Responsibility and Authority

The office of the Managing Director shall be responsible for the management and outcome of an appeal and the authority to either confirm, review or amend the original outcome and or scores of a BEE rating.

4. References

R47-03 Clause 19
 Appeals Policy- HR/MPPOL/010


5. Procedure

5.1 Application for and Validation of an Appeal:

5.1.1. Within 5 working days for Broad Based Clients and 5 working days for QSEs from the date on which it received the BEE Ratings decision, a client may appeal to the Managing Director of Honeycomb if it is dissatisfied with the BEE ratings decision.

5.1.2. The Appeal Application should contain sufficient information to validate the grounds for the appeal. Such information must include:

- **Issues:** Precise identification of the issues being appealed. Issues could include interpretations of the BEE Act, the Codes or information from the client; calculation of scores for an element, sub-element or the final score; on-site assessment procedures, etc.;
- **Grounds:** The detailed grounds of appeal in respect of each issue being appealed. Grounds could include an incorrect interpretation of the Codes or misunderstanding of a client document such as a shareholders agreement; an incorrect calculation of a score; an incomplete assessment of the client's employee composition for employment equity purpose, etc.;

	Document No	HR/MPPRO/005	
	Version No	018	
	Page 2 of 4		
APPEALS PROCEDURE			
Compiler:	Chantal Robalo	Date of Issue	08 September 2023
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- **Supporting documents:** Documents which are relevant to the issues and grounds of appeal; written statements by management, staff or advisors appointed by the client to assist with the appeal;
- **Desired outcome:** The appeal must describe the desired outcome of the appeal.

5.1.3 If the appeal is based on evidence that was not taken into account by the analyst, then such evidence must be included;

5.1.4 The client must provide proof that the evidence was submitted to Honeycomb,

5.1.5 If the client had undergone any changes that affected the score, proof that these changes were submitted to Honeycomb must be provided.

5.1.6 The MD or a person¹ nominated by him / her (“the nominee”) must review the application and advise the client within 5 working days whether the application contains sufficient information to validate the grounds for the appeal and, if not, what further information is required. If necessary, the MD may require the client’s authorized representative to validate the appeal at an informal hearing.

5.1.7 Within 5 working days on receipt of the MD’s request, the client must furnish Honeycomb with the further information requested. If the client fails to do so, the MD may dismiss the appeal.

5.1.8 As soon as the MD is satisfied that he / she has sufficient information to validate the grounds for the appeal, he / she will notify the client, that the appeal has been accepted and will be investigated.

5.2. Investigating an Appeal:

5.2.1. The MD or the nominee must investigate the appeal within 10 working days of informing the client that the appeal has been accepted.

5.2.2. In coming to a decision on the outcome of the appeal, the MD or the nominee will take account of the following.


5.2.2.1. The information provided by the client for validating the appeal.

5.2.2.2. The agreement between Honeycomb and the client, including the Annexures.

5.2.2.3. The information provided by the client in the BEE Measurement Form.

5.2.2.4. The analyst’s Pre-liminary Report and Rating.

¹ Who must be a person other than the analyst or Verification Manager who participated in the verification process.

	Document No	HR/MPPRO/005	
	Version No	018	
	Page 3 of 4		
APPEALS PROCEDURE			
Compiler:	Chantal Robalo	Date of Issue	08 September 2023
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- 5.2.2.5. The Verification Manager’s report on the Pre-liminary Report and Rating.
- 5.2.2.6. Any information or comment provided by the client on the Pre-liminary Report and Rating.
- 5.2.2.7. Any objections lodged by the client regarding the Pre-liminary Report and Rating.
- 5.2.2.8. The Final Report and Scorecard.
- 5.2.2.9. Any complaints lodged by the client during the verification process.

5.2.3. The MD or the nominee may engage with the analyst, or the Verification Manager appointed to conduct the assessment and verification of the client’s BEE status.

5.2.4. In the event of a dispute of fact arising during the course of the investigation between the client, on the one hand, and the analyst and / or Verification Manager on the other, the MD or the nominee shall constitute a fact-finding appeal hearing in order to resolve the disputes of fact on a balance of probability.

5.2.5. Throughout the process, the MD or the nominee will provide the client with progress reports.

5.3. Action to be Taken:

5.3.1. At the end of the investigation, the MD or the nominee may:


- 5.3.1.1. Confirm the BEE Ratings decision.
- 5.3.1.2. Re-rate the client on the basis of the information obtained during the investigation.
- 5.3.1.3. Appoint a new Verification Analysts and / or Verification Manager to perform the verification exercise afresh at no cost to the client.

5.4. Notice of the Outcome to the Client:

As soon as the MD or the nominee has made the decision on the application, which must be made within 30 working days from the date on which the appeal was lodged, he / she must notify the client in writing regarding the outcome of the appeal

5.5. Tracking and Recording Appeals:

All stages in the process all information, documents and records related to the appeal will be recorded in Honeycomb’s management system as the process

	Document No	HR/MPPRO/005	
	Version No	018	
	Page 4 of 4		
APPEALS PROCEDURE			
Compiler:	Chantal Robalo	Date of Issue	08 September 2023
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progresses for security and confidentiality purposes and for the purposes of tracking the appeal.

5.6 Valid Appeal:

5.6.1 should the complaint be valid, the MD will complete HR/MPREP/003 – Non-conformance, Corrective Action and Clearance Report, and raise the complaint as a Non-Conformance.

5.6.2 HR/MPPRO/009 – Managing Corrective Action Procedure will then be followed, to prevent any re-occurrence of the same complaint or similar complaints.

5.7 Records

Honeycomb will keep the records of all appeals, as well as the remedial actions that Honeycomb has taken

6. Records

Record	Responsibility	Minimum Retention Period	Disposal
Verified Entities Files (electronic)	MD	5 years	Destroy
Original Invalid Documents	MD	5 years	Destroy