

Complaints Against Candidates or Certified Persons

Complaints Submissions

Complaints will be submitted in writing using the *Policy Exception Request / Complaint Form* via postal mail or e-mail to the IAPP Certification Director within 30 calendar days of the incident's occurrence. Written complaints may be mailed to:

Certification Director
IAPP
Pease International Tradeport
75 Rochester Ave.,
Portsmouth, NH 03801

Written forms may also be submitted to certification@iapp.org Please include "Certificant Complaint" in the subject line.

Complaints will include:

- Date of the complaint
- Name of the complainant
- Postal address of the complainant
- E-mail address of the complainant
- Telephone contact number(s) of the complainant
- Nature of the complaint
- Relevant supporting materials
- Outcome desired

Initial Acknowledgement

The IAPP Certification Body will, within 10 days, acknowledge receipt of the complaint. The acknowledgement will include a description of the complaint process, and will advise the complainant that he or she will receive status reports regarding the complaint.

Acceptance as a Complaint

The complaint will be reviewed by the Certification Director to ascertain if the criteria for acceptance of a complaint are met. The acceptance criteria are as follows:

- 1) Complainant must have personal knowledge of the alleged violation or misbehavior or must be in a position to supply relevant and reliable documentation.

- 2) Complainant must demonstrate by documentation and factual evidence that the complaint involves an issue or issues directly related to the certification standards and code of conduct. Matters of a personal nature or matters not related to the criteria set forth will not be considered.
- 3) The complaint will not be processed if the IAPP records show the named person is no longer certified by the IAPP or is not a certification applicant, unless the complaint is related to such person representing him or herself as having a current certification.

Accepted complaints will be first processed by the Certification Director for the purpose of attempting to resolve the complaint informally. If resolution by the staff is not possible, a Disciplinary Review Panel will be appointed by the Certification Advisory Board Chair to review and, if warranted, investigate the complainant's statements in accordance with established policies and procedures.

Referral to Certificant

Complaints about a specific certificant will be provided to the certificant about whom the complaint was made.

Confidentiality

Details of a complaint will be confidential throughout the resolution process. Staff and committee members who hear a complaint will keep all information confidential, available to others involved only on a 'need to know' basis.

Review Panel Members

The Review Panel will be constituted of at least one current Certification Advisory Board member, one former Certification Advisory Board member (when possible), and one IAPP certificant not currently serving in a leadership capacity for the Certification Advisory Board. No Review Panel member will be appointed to serve for a case in which he or she has a conflict of interest or under any circumstances in which the member cannot render impartial and unbiased judgment. No Review Panel member may sit on a case in which he or she is the subject of the complaint.

Meeting of the Review Panel

The Review Panel will meet within 90 days of the date on which the complaint is received or on a date mutually acceptable to the individual and the Review Panel. The individual may appear before the Panel to make an oral and/or written presentation and to respond to questions from the Panel. Either party may be represented by counsel; however, the proceeding is conducted on an informal basis. The Review Panel may request the assistance of counsel to provide guidance in

the interpretation and resolution of legal or procedural problems that may arise in the context of a complaint.

Documents To Be Considered by the Review Panel

The issues addressed by the Review Panel will be limited to those included in the complaint. The Panel, the certificant/applicant, and legal counsel (if applicable) will be furnished with all of the documents reviewed by the Review Panel.

Panel Recommendation

A written report of the Review Panel, including the recommendation and reasons for such, is prepared within 30 days and is provided to the Certification Advisory Board.

Certification Advisory Board Review, Determination and Communication

At its next regularly scheduled meeting, the Certification Advisory Board reviews the recommendation from the Review Panel, and may accept, reject, or modify the recommendation with respect to the determination of violation or the recommended disciplinary action to be imposed.

The final determination will be communicated by written notice within 30 days of the determination to the candidate/certificant and the complainant. If by determination of the Certification Advisory Board, the nature of the situation warrants, the final determination may also be communicated by written notice to the candidate/certificant employer or licensing agency.