



Complaint and Appeal Policy NZC Pilot Cities Programme



Complaint and Appeal Policy

For proposals considered ineligible or not retained for funding under Open Call for NetZeroCities Pilot Cities Programme NZC-H2020-202209

BACKGROUND

NetZeroCities – a project funded under Horizon 2020 Grant Agreement number 101036519 – launched an open call for Pilot Cities on 5th September 2022. The [Call Guidelines](#) for applicants contained a section on Complaints & Appeals referring to the process of lodging a complaint in the event that lead applicants perceived factual errors or procedural shortcomings in the eligibility check results or evaluation reviews.

This policy provides a detailed description of the step-by-step process for lodging, processing, responding, escalating and resolving a complaint in relation to the said open call. This policy also establishes the appeal process should a decision related to the eligibility of an application be challenged.

COMPLAINT PROCESS

The complaint process is applicable to concerns raised by applicants in relation to either a factual error or a procedural shortcoming in the procedures for eligibility check and/ or evaluation review of proposals.

The policy does not pertain to concerns related to any other aspects of the open call for pilot cities referred to in the section *Background* above.

Lodging a complaint

Who can lodge a complaint?

Lead applicants

When can a lead applicant lodge a complaint?

Lead applicants have 10 calendar days from receipt of the eligibility and/ or evaluation decision communication letter to lodge a complaint. The letter is considered to have been received 5 calendar days after having been sent.

How can a lead applicant lodge a complaint?

Complaints must be sent by the lead applicant in writing to pilotcities@netzerocities.eu with subject “NZC Pilot Cities Programme 2022 intake - Outcome - Formal Complaint”.



To be processed the complaint must cover both of the below elements:

- Description of the factual error or a procedural shortcoming perceived in relation to the eligibility check and/ or the evaluation review
- Provision of grounds for the complaint

Processing a complaint

Who processes the complaints?

Complaints shall be processed by a complaint response team of at least two people – one project representative (NZN Pilot Cities Programme Team) and one Operations representative (independent from NZC Pilot Cities Programme Team). If the volume of complaints is greater than anticipated, further resources shall be mobilised.

The complaint response team is responsible for keeping record of all complaints as part of the supporting documentation for implementation of the NetZeroCities project.

When will complaints be processed?

Responses shall be sent out at the latest 5 working days after the complaint submission deadline, which is set at 15 calendar days from decision communication letter send-out.

How will complaints be processed?

During the complaint submission period an automated message shall acknowledge receipt of each lodged complaint, assign a case number to it, and indicate the estimated date of a final reply.

The response team will review complaints on a rolling basis during the complaint submission period and before expiration of the response deadline. They will classify complaints, involve other colleagues when needed and escalate complex complaints before sending a response.

Step 1: Classify

The complaint response team shall as a first step assess the complexity of the complaint.

- When a response can be drawn up based on call documentation and/ or official communication such as during the Question & Answer stage, the grievance is classified as '*simple*'.
- When a response cannot be elicited by the approach above, then the complaint is classified as '*complex*' and needs to be escalated to a complaint review panel.
- When a complaint doesn't refer to a concern about a factual error or a procedural shortcoming in relation to the eligibility check and/ or the evaluation review, then it is considered as 'out of scope of this policy'.



Step 2: Treat

- *Simple complaints:* The complaint response team will prepare a response based on call documentation and/ or official communication to applicants (e.g. Q&A), providing facts and information to address the complainant's concerns.
- *Complex complaints:* The complaint response team will convene a Complaint Review Panel consisting of three members with relevant knowledge and expertise depending on the nature of the complaint, i.e. legal, operational, etc. The Complaint Review Panel will come together to agree on an appropriate response to complex complaints. Each panel member will declare potential conflict of interest and commit to treat sensitive information with confidentiality - relevant declarations will be part of the minutes of the panel's meeting.

Step 3: Respond

The complaint response team will prepare and send written response to the complainant either providing evidence for dismissing the complaint or confirming the concern was grounded and proposing action to remedy the situation.

Step 4: Resolve

When the complainant doesn't oppose the complaint response within 5 calendar days from dispatch date, it shall be considered that the response is accepted, and the complaint is resolved.

APPEAL PROCESS

When the complainant opposes the complaint response in writing within 5 calendar days from dispatch date, the appeal process is launched.

How to appeal?

Lead applicants must describe the degree to which their complaint has not been given sufficient consideration. Additional information is not admissible at this stage.

*What is the appeal process?***Step 1: Register & convene an appeal board**

Complaint response team registers the appeal and convenes an Appeal Review Board. The Board is composed of minimum three representatives of EIT Climate-KIC, as coordinator for the NetZeroCities grant, who have appropriate knowledge area expertise, i.e. legal, operations, etc and a NZC Consortium member that has signed an NDA respecting the protection of the confidential data. Appeal Review Board members will be different from the members of the complaint response team and the Complaint Review Panel. They must not have been involved in the original evaluation of the application or in the co-creation of the proposal



development process. Each board member will declare potential conflict of interest and commit to treat sensitive information with confidentiality. Declarations will be captured in the minutes of the meeting.

Step 2: Investigate

At their meeting, facilitated by a compliance responsible staff member of the coordinator organisation, the Appeal Review Board reviews complaint, complaint response, and other call-relevant documentation to establish if the response provided was adequate.

Step 3: Respond

- A. In case the complaint response is considered adequate, the Board can decide to:
 - a. Reconfirm the initial complaint response, or
 - b. Schedule a call with the complainant to directly respond to additional questions and provide an open avenue for discussion, along with feedback from the complainant.

- B. In case the complaint response is considered inadequate, the Board will revise the initial complaint response accordingly.

Step 4: Final Decision

A final decision must be made within 15 calendar days from formal appeal submission.

The Appeal Review Board communicates the decision, including relevant notes from the decision discussion and commensurate steps (if applicable) through a Final Decision Letter (i.e. email) with the complaint response team in copy.

The complaint response team is responsible for keeping record of all complaints as part of the supporting documentation for implementation of the NetZeroCities project.

KEEPING RECORDS

Documentation related to the complaints and appeal process will be kept on record for 5 years after the final balance payment of the grant.

