



# RATINGS

## PUBLIC STATEMENT ON CONFIDENTIALITY, IMPARTIALITY AND CONFLICT OF INTEREST

The Directors of Inforcomm (Pty) Ltd hereby declare the following public statement on Inforcomm's understanding of the concept of Impartiality and the importance thereof when managing conflicts of interest and to ensure objectivity when carrying out our Verification Activities.

Impartiality is the actual and perceived presence of objectivity. Objectivity means that conflicts of interest do not exist or are resolved so as not to adversely influence the activities of Inforcomm.

Synonyms that are useful in conveying the element of impartiality are: objectivity, independence, freedom from conflicts of interest, freedom from bias, lack of prejudice, neutrality, fairness, open-mindedness, even-handedness, detachment and balance.

Being impartial, and being perceived to be impartial, is necessary for Inforcomm to be able to deliver a credible Verification Service that provides confidence to our clients, the public and all other entities in the country.

It is recognised that the main source of revenue for Inforcomm is that of our Client paying for our services and that this is a potential threat to impartiality. Our fee structure will be based upon the degree of responsibility and skill involved and the time necessarily occupied on the work, plus the reimbursement of outlays. We will contract our fees in advance with our clients and will not allow the fact that the payment of fees by clients to become a threat to impartiality.

In order to obtain and maintain confidence, Inforcomm will at all times be able to demonstrate that our decisions are based on objective evidence and that our decisions have not been improperly influenced by other interests or by other parties.

Threats to impartiality include:

- Self-interest threats – threats that arise from a person or enterprise acting in their own interest, for example financial self-interest;
- Self-review threats – threats that arise from a person or enterprise reviewing the work done by them. For example evaluating the B-BBEE compliance of a Client for whom Inforcomm may have provided consultancy, or a staff member or director reviewing his own work in an appeal or complaint procedure;
- Familiarity (or trust) threats – threats that arise from a person or body being too familiar with or trusting towards another person instead of seeking and evaluating objective evidence on which to base the verification conclusion or decision;
- Intimidation threats – threats that arise from a person or enterprise having a perception or experience of being coerced openly or secretly, such as a threat to be replaced or reported to a supervisor if he does not do what the person who is coercing him/her wants.

The above Statement is made by Inforcomm (Pty) Ltd in the interest of transparency and so that all our clients may be aware of our intentions.

Signed by Inforcomm (Pty) Ltd

COMPILED BY:	P MMUSI	REV DATE:	2025-07-31	REV NO	2502	DOC NO:	A16PUB	
APPROVED BY:	A TLHOAELE	EFFECTIVE DATE	2025-08-01	DESCRIPTION:	PUBLIC STATEMENT ON CONFIDENTIALITY			
A16- CONFIDENTIALITY								
“Inforcomm reserves the right to issue the B-BBEE Certificate based on the verified evidence or to withdraw the certificate based on misstatement. The verification decision is subject to Inforcomm management system based on the Sanas R47-03 as amended from time to time.”								
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## COMPLAINTS PROCEDURE

### 1. POLICY

INM undertakes to investigate any complaints made by a third-party user of the results of an INM conducted verification of a ME's B-BBEE status and to make every effort to resolve the matter. INM further investigates all other complaints made by any party for whatever reason and at all times makes every effort to resolve such complaint fairly and correctly with the necessary transparency. For complaints received from SANAS for whatever reason, such complaints are investigated and resolved as expeditiously and with specific due regard to the agreements (i.e. that for the use of the SANAS Logo) with SANAS and the terms of R47-03. The investigation is conducted in accordance within the confidentiality commitment made to the ME and the identity of the complainant and the subject of the complaint is kept confidential.

The INM Complaints procedure is publicly documented on the INM website and is provided on request. It is also displayed at the offices of INM.

### 2. SCOPE AND PURPOSE

To process all complaints received from third parties concerning scorecards issued by INM in accordance with the procedure set out in this Manual.

The purpose of the Complaints Procedure is to assure MEs and users of INM-issued scorecards that the Agency adheres to all B-BBEE Requirements and SANAS R47-03 to ensure that scores awarded are fair and consistently valid.

### 3. RESPONSIBILITY AND AUTHORITY

The Complaints Panel is appointed by the INM DIRECTOR subject to its Terms of Reference, and consists of management and analysts that have not been involved in the verification relating to the complaint. This is done to ensure that the composition of the Panel is at all times insofar as may be possible represent a balance of interest so that no single interest dominates. The Panel has the overall responsibility for:

Assessing the validity of the complaint; and ensuring the complaint is processed according to documented procedures.

### 4. PROCEDURE

- 4.1. When the agency is advised of a complaint, Analyst checks the Certificate Register to confirm that the verification was conducted by INM.
- 4.2. The complainant is sent a copy of the Complaints Form to complete.
- 4.3. On receipt of a complaint about INM verification, the INM DIRECTOR informs the ME, in writing, that it is the subject of a complaint and also makes an entry on the Complaints Register. Full records are kept about the consideration deliberations of Complaints and their disposition; Both the complainant and the ME are assured of confidentiality.

COMPILED BY:	P MMUSI	REV DATE:	2025-07-31	REV NO	2502	DOC NO:	A10COS	
APPROVED BY:	A TLHOAELE	EFFECTIVE DATE	2025-08-01	DESCRIPTION:	COMPLAINTS PROCEDURE			
A20-COMPLAINTS								
<p><i>“Inforcomm reserves the right to issue the B-BBEE Certificate based on the verified evidence or to withdraw the certificate based on misstatement. The verification decision is subject to Inforcomm management system based on the Sanas R47-03 as amended from time to time.”</i></p>								
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- 4.4. The complaint is acknowledged, in writing and the complainant is assured that every effort is made to resolve the issue within 30 business days.
- 4.5. The ME is advised that while only the scorecard and the certificate are made public, it does have the option to share the verification report with the complainant.
- 4.6. Personnel involved in conducting the verification are not involved in investigating the complaint.
- 4.7. The Panel gathers and considers all available evidence. This includes the analyst's report, documentary supporting evidence, Verification Planning, Worksheets, scorecard, and certificate, in addition interviews are conducted to the verification analyst and the ME responsible person of.
- 4.8. The Panel always has access to, and has the right to demand access to, all the information to enable it to fulfil its functions. The Panel members are at all times required to sign Standard Statements.
- 4.9. After in-depth investigation into the complaint, a report is compiled, and both the complainant and the ME are advised of the decision.
- 4.10. If, at the discretion of the agency, a special evaluation is required, such evaluation is set up with the ME in accordance with the Special Evaluation procedure; and
- 4.11. Should there be evidence of deliberate significant misstatement by the ME, the ME is given an opportunity to correct the matter; if this is not done, the matter is referred to the DTIC and steps are taken to withdraw the ME's certification;
- 4.12. If the Panel agrees that there is a valid foundation for a change in the score, the previous incorrect Verification Certificate and Scorecard is withdrawn, and a new Verification Certificate and Scorecard is issued if required.
- 4.13. Actions taken and stemming from Complaints procedures in terms of this manual are reviewed during the subsequent Management review to ascertain if the actions have been effective in resolving any problems which may have been the cause of such complains
- 4.14. The Panel operates on the principle of consensus and any decision is debated until consensus is reached. If consensus cannot be reached within the time frame set by the chairperson of the Committee, the decision is referred to the INM DIRECTOR/s. No person who has been involved in the original decision is entitled to vote on the Complaints Committee

## 5. PROCESS

20M-COS Complaints Form

## 6. REFERENCES

SANAS R47-03 requirements

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APPROVED BY:	A TLHOAELE	EFFECTIVE DATE	2025-08-01	DESCRIPTION:	COMPLAINTS PROCEDURE			
A20-COMPLAINTS								
"Inforcomm reserves the right to issue the B-BBEE Certificate based on the verified evidence or to withdraw the certificate based on misstatement. The verification decision is subject to Inforcomm management system based on the Sanas R47-03 as amended from time to time."								
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## APPEALS PROCEDURE

### 1. POLICY

If a ME believes that the B-BBEE score issued by INM does not accurately reflect its B-BBEE status, or information submitted during verification process, the ME should lodge an appeal to a INM DIRECTOR within 14 business days from the issue date of the Verification Certificate.

The INM Appeals procedure is publicly documented on the INM website and is provided on request. It is also displayed at the offices of INM.

### 2. SCOPE AND PURPOSE

The Appeals procedure aims to address appeals in an objective and transparent manner and to provide the ME with a report on the outcome of the appeal within 14 working days from receipt of the appeal. INM undertakes to investigate to evaluate whether, on the basis of the information available, the allocated score is a valid reflection of the ME's B-BBEE status.

### 3. RESPONSIBILITY AND AUTHORITY

The Panel is appointed by INM DIRECTOR functions subject to its Terms of Reference, and consists of management and analysts that have not been involved in the verification relating to the Appeal. This is done to ensure that the Panel is at all times insofar as it may be possible represent a balance of interest so that no single interest dominates. The members of the Committee, who is not involved in the verification or the decision-making process, are responsible for ensuring that the appeal is conducted according to the documented procedure and within the Appeals Panel Terms of Reference.

### 4. PROCEDURE

- 4.1. The ME's right to an Appeal is recorded in the INM Verification Acceptance Agreement signed at the commencement of a verification.
- 4.2. ME contacts or email the Agency to lodge an Appeal, Analyst provides the ME with an appeal procedure form to complete in detail the request of an appeal.
- 4.3. The Appeal made by the ME must provide a comprehensive explanation of the reason for the appeal.
- 4.4. An Appeal must be received within 14 business days from the issue date of the Verification Certificate.
- 4.5. An entry on the Appeal register is also made to record the appeal.
- 4.6. The INM DIRECTOR evaluates the comprehensive explanation of the reason for the appeal.

COMPILED BY:	P MMUSI	REV DATE:	2025-07-31	REV NO	2502	DOC NO:	A19APS
APPROVED BY:	A TLHOAELE	EFFECTIVE DATE	2025-08-01	DESCRIPTION:	APPEALS PROCEDURE		
A19-APPEALS							
<i>"Inforcomm reserves the right to issue the B-BBEE Certificate based on the verified evidence or to withdraw the certificate based on misstatement. The verification decision is subject to Inforcomm management system based on the Sanas R47-03 as amended from time to time."</i>							
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- 4.7. If the request for an appeal is related to ME improving their score due to changes made after the completion of the verification process, an appeal is addressed according to Special evaluation procedure
- 4.8. If the appeal is based on the ME's believe that the B-BBEE score issued by Inforcomm does not accurately reflect the B-BBEE status the INM DIRECTOR draws the ME 's ME File from the Analyst.
- 4.9. The INM DIRECTOR submits the ME file to Appeals Panel which reviews the documentary supporting evidence, verification plan, worksheet, verification report and scorecard of the verification analyst responsible for the verification.
- 4.10. The Panel reviews the documentation for the verification of that ME to ensure that all steps were handled correctly in accordance with set procedures. The records of the appeal, its deliberations on the merits and the results of its deliberation. Notes of the assessment on the appeal is further recorded on the appeal procedure form.
- 4.11. The Panel interviews the verification analyst if required.
- 4.12. Based on the evidence provided, a decision is made as to whether or not the B-BBEE score is to be confirmed or amended.
- 4.13. If the score is confirmed, the ME is sent a letter advising that, based on the evidence available to INM, the score is an accurate reflection of its current B-BBEE status.
- 4.14. If the Panel agrees that the score is not valid, a new Verification Certificate and Scorecard is issued together with an explanation of the reason for the amendment.
- 4.15. If the Appeal is not successful and the ME is still not happy with the rating, the ME is advised that the matter can be taken up with the DTIC at the ME's cost; and
- 4.16. Where the ME's Appeal has been successful, the cause of the problem is identified, and analyses and appropriate action taken to either change procedures or to improve the analyst's performance so that such an error shall not occur again.
- 4.17. Actions taken and stemming from Appeals procedures in terms of this manual are reviewed during the subsequent Management Review to ascertain if the actions have been effective in resolving any problems which may have been the cause of such Appeals
- 4.18. The Panel shall operate on principle of consensus and any decision is debated until consensus is reached. If consensus cannot be reached within the time frame set by the chairperson of the panel, the decision shall be referred to the INM DIRECTOR.

## 5. PROCESS

19M-APS Appeals Form

## 6. REFERENCES

SANAS R47-03 requirements

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APPROVED BY:	A TLHOAELE	EFFECTIVE DATE	2025-08-01	DESCRIPTION:	APPEALS PROCEDURE			
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APPROVED BY:	A TLHOAELE	EFFECTIVE DATE	2025-08-01	DESCRIPTION:	APPEALS FORM			
A19-APPEALS								
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