

## Concept Verification of the VCH RC-Program by Expert Third Parties *(Excerpt)*

The program **Responsible Care in chemical trading** (Status 10<sup>th</sup> May 2016) of the VCH determines in

- Element 4, that an expert third party surveys the answers to the self-assessment questionnaire for plausibility,
- Element 5, that an expert third party audits the company on site to establish whether the self-determined goals of the three year plan have been achieved.

### Requirements to be an expert third party

Element 8 of the program determines the requirements of an expert third party with regard to reliability, independence and technical expertise. These requirements are satisfied in case of an accreditation of the expert third party by the European Chemical Association CEFIC for the SQAS module **SQAS Distributor/ESAD**. Details here are included in the SQAS Accreditation Manual in the valid version in each case.

In order to ensure that the expert third party is and remains familiar with the specific aspects of the VCH RC-program, before the expert begins his/her work, instructions are provided by the RC coordinator of the VCH. The expert third party regularly attends the RC workshops of the VCH.

A cooperation agreement is made with the expert third party. This contains the duties involved and the remuneration. The agreement should, as far as possible, be oriented to the agreement made with the previous expert third party (together with the performance list).

## **Verification by the expert third party**

The expert third party examines the self-assessment questionnaires, filled out by the participating companies, for plausibility (Element 4 of the program).

The verification of the continuous improvements, according to Element 5 of the program, after three years, is carried out by an audit on site in the company using the **question catalog** (Appendix), or alternatively, from the consulted documentation and fact lists of an ESAD assessment. Fundamental for the evaluation of all activities is that – in accordance with the target of Responsible Care – an improvement process can be evidenced and documented. The size of the achieved improvements is not governed by a concrete dimension. Insofar as the self-determined targets of the three year plan have not been met, this must be explained.

In stock-holding companies, the audit is combined with an inspection of the company premises. For companies who do not keep stocks, a plant inspection of at least one major service provider must be certified in a suitable form. This evidence would be provided for example by the participation of the service provider in „SQAS Road“. A documented on-site visit of the participating company is also considered adequate.

If the expert third party is commissioned by a participating company to perform the verification of the RC program, the VCH is to be correspondingly informed within two weeks. The expert third party informs the RC representative(s) and the VCH within two weeks of the results of the annual review of the three year plan, carried out according to Element 5 of the program, as well as the results of the 3 year on-site audit and the persons participating in the audit.

## **Arbitration panel (revocation of the logo, disputes)**

If, in his/her verification, according to Elements 4 or 5 of the program, the expert third party comes to the conclusion that the company has not fulfilled the defined conditions, he/she documents the reasons for this negative assessment in a written report and, within four weeks, presents this to the RC coordinator of the VCH. The decision on the revocation of the Responsible Care logo (Element 6 of the program) is made, in this

case, by the arbitration panel. The RC coordinator of the VCH threatens to revoke the logo in a registered letter, giving a deadline of three months. The company thus has time to state its position. After the deadline has expired, within a further three weeks, the VCH arranges for a meeting of the arbitration panel.

Disputes between the expert third party and companies participating in the RC program are decided by the arbitration panel. The invocation of the panel must be made in writing, stating the reason, and takes place within four weeks after receipt of the disputed decision. The RC coordinator of the VCH forwards the complaint to the opposing party for commentary within four weeks. After receipt of the commentary, at the latest after the deadline expires, the RC coordinator invokes a meeting of the arbitration panel within four weeks.

Voting members of the arbitration panel are

- all expert third parties with the exception of the expert involved in the case
- the RC coordinator of the Chemical Industry Association (VCI) and
- the chairman of the VCH RC workshop.

The panel chooses a spokesperson among its members. The dealings of the chamber are managed by the VCH RC coordinator.

At the meetings of the arbitration panel, the company and the expert third party involved in the case are given the opportunity to give an oral commentary. The company is informed of the decision in writing. There is no appeal.



Responsible Care -  
Verantwortliches  
Handeln im  
Chemiehandel