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# A study on the implementation of grievance mechanisms Reviewing practice across RA-Certified Farms and Groups

## Disclaimer

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# Executive Summary

## Overview

This report sets out the findings of a research study examining the implementation of grievance mechanisms by Rainforest Alliance Certificate Holders (CH). It brings together desk research analysis on the wider context of grievance mechanism implementation across countries and sectors relevant to RA, survey data collected from CHs on their grievance handling processes, and detailed information from eight CHs on how they have taken steps to improve their grievance mechanisms.

The findings incorporate the views and perspectives of CHs, user groups – including workers and community members - and those Certification Bodies (CB) responsible for auditing CHs against the RA Standard.

This research was initiated following the launch of the 2020 Rainforest Alliance (RA) Sustainable Agriculture Standard (SAS), and in addition to the findings and analysis, the report includes recommendations to RA and a Four Stage Maturity Framework. This sets out a pathway to support CHs in making their grievance mechanisms more effective and ultimately comply with the RA Standard.

The objective of the research was focused on answering the following four questions:

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- What are the prevailing practices regarding grievance mechanisms across a range of Certificate Holders?

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- What (emergent) good practices and improvement pathways can be observed with regard to implementing GMs?

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- What are the main challenges to implementing, using and auditing GMs?

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- What is the level of effort and what are cost-effective ways of implementing GMs in a few typical scenarios?

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# Key Findings

## 1. Prevailing practices

**The majority of surveyed Certificate Holders have grievance mechanisms at an early stage of maturity.** This means that many CHs currently operate grievance mechanisms that are not likely to comply with the grievance mechanism requirements set by RA – information which is corroborated by recent RA audit data that shows there are a significant number of non-conformities (NCs) against the grievance mechanism requirements. This information contrasts with CHs we surveyed, many of whom think that they have effective grievance mechanisms.

**Workplace issues are the most reported type of human rights complaint.** These range from occupational health and safety, working hours to wages, amongst others. Other severe human rights issues are also being raised to CHs, including issues of GVBH, forced labour and child labour. Fewer CHs had grievance mechanisms dealing with community impacts such as land disputes or security related issues.

**Many CHs are taking steps to strengthen their grievance mechanisms by improving user access and awareness of their grievance mechanisms.** These above findings are broadly consistent across different types of CH, including certified-Groups and Farms.

**The one difference in sort of complaints received by different CH-types relate to the nature of a Group CH's structure.** Groups receive more complaints from member farmers regarding commercial issues. This is a key stakeholder group for Groups and is not for Farms. Other differences in types of complaint are generally due to the dispersed geographical nature of their operations and greater variety of potentially affected stakeholders. For certified-Farms, there were no trends on the type of complaint that were unique to them and not to Groups. However, the number of individuals involved in complaint handling for Farms tended to be higher than for Groups.

## 2. Main challenges

**Many of the challenges faced by one type of CH are also faced by others.** A common challenge among many CHs is that they are not receiving any complaints from intended users. This may be a result of a lack of trust in the grievance mechanism, a lack of awareness about the grievance process or the inability to raise complaints due to a lack of submission channels.

Other common challenges for Groups include the implementation of Grievance Committees in line with RA's requirements, which may be a result of the more fragmented nature of a Group's business and operations. For Farms, there are particular challenges in receiving complaints from community members surrounding their operations, in investigating and responding to anonymous complaints, and involving trade unions within formal CH-led operational grievance mechanisms.

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# Key findings

## 3. Emergent good practices

**Our analysis of the case studies shows that some CHs are implementing good practice grievance mechanisms.** These examples illustrate that substantive improvements require the buy-in of senior management as well as financial investments into the grievance handling process. Interestingly in some cases the benefit of this financial outlay is considered to outweigh the potential costs of not improving the grievance mechanism.

**Whilst not the express focus of this study, we identified some examples of CHs remediating negative human rights impacts, though these were not solely the result of CH grievance mechanisms.** In regions where child labour is a risk, for example, a grievance mechanism is only one component that feeds into a wider programme of remediation and prevention led by CHs in collaboration with other stakeholders.

Other general good practices that were identified in relation to grievance mechanisms include CHs taking a step back, reviewing existing practices, and implementing changes which make sense to strengthen a complaint mechanism in their context. CHs have also increased available routes that can be used to raise complaints, trained and increased numbers of staff involved in complaint handling, built capacity of user groups to raise complaints, formally recorded complaints and case updates in centralised logs, and increased the independence of grievance mechanisms. All of these individually, but particularly if combined, are measures that can increase a grievance mechanism's effectiveness.

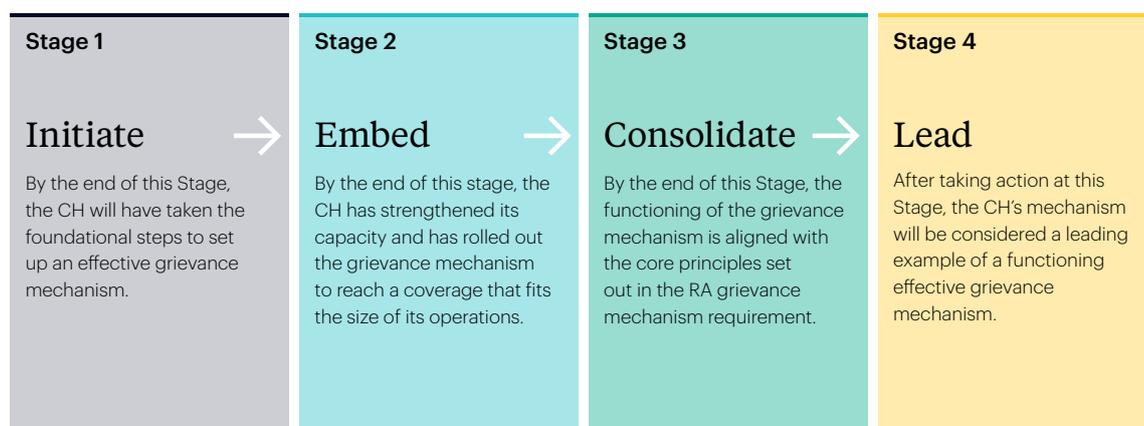
## 4. Cost and effort

**Data on required investment into grievance mechanisms is difficult to obtain.** A goal of the research was to unpack financial implications of operating an effective grievance mechanism, but this has proved challenging. In part, this is a result of sensitivities in sharing commercial information, but also result of the challenges that CHs face in capturing and recording the actual cost of operating a grievance mechanism, and the difficulties in separating our grievance mechanism spend from other business outlays.

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## Recommendations

To support CHs in making changes and improvements to their grievance mechanisms, the report includes a Four Stage Maturity Framework. This includes steps that CHs can take cumulatively to improve their mechanisms in a comprehensive manner. The below sets out what a CH can expect to have achieved by the end of each Stage.



Based on engagement with CHs in the survey and case studies, engagement with CBs, and based on the findings of the research, the report also includes recommendations to Rainforest Alliance. These recommendations cover steps that can be taken to:

- **Support Certificate Holders** – including distributing findings of this research, sharing good practices, provision of training, engaging buyers in discussions on grievance mechanisms, and engaging with CHs to improve cost transparency.
- **Keep tracking implementation of grievance mechanisms** – including a new survey of CHs in 2024 that broadens the sample of CHs, which is aligned with the Maturity Framework and which applies learnings from the survey conducted in this research.
- **Continue engagement with CBs to review audit findings against new survey data.**

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# Glossary

| <b>Abbreviation</b> | <b>Meaning</b>   |
|---------------------|--|
| CB                  | Certification Body   |
| CH                  | Certificate Holder   |
| CLMRS               | Child Labour Monitoring and Remediation Systems                                      |
| GBVH                | Gender-Based Violence and Harassment   |
| GM                  | Grievance Mechanism  |
| OGM                 | Operational Grievance Mechanism<br>(also referred to as a grievance mechanism or GM) |
| RA                  | Rainforest Alliance  |
| SAS                 | Sustainable Agriculture Standard   |
| QMS                 | Quality Management System  |

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# 1. Introduction

## 1.1 Background

This research was initiated following the launch of the 2020 Rainforest Alliance (RA) Sustainable Agriculture Standard (SAS). The focus of the research was on understanding how operational grievance mechanisms (OGMs) are being implemented across RA-certified producers and learning how RA can act to drive further positive impacts on access to remedy in certified agricultural production. The intention is for the findings and recommendations to support certified Groups, Individual Farms and Multi-site Farms in implementing the RA 2020 Standard requirements on grievance mechanisms.

This report consists of the following:

- An overview of the methodology and approach to the research.
- A summary of findings.
- A Maturity Framework to assist Certificate Holders in strengthening their mechanisms.
- Implications and recommendations for RA.

The report also includes Annexes which provide more detail on the findings across specific research phases including a summary of the initial baseline findings, of the survey responses, and the eight case studies. Additional detail on survey findings can also be found in a presentation delivered to RA and the clean dataset.

### RA 2020 Standard on Grievance Mechanisms<sup>1</sup>

Applicable to: Large farms part of a group, Group management, Individual certificate holders, Supply Chain Certificate Holders

1.5.1. A grievance mechanism is in place that enables individuals, workers, communities, and/or civil society, including whistle-blowers to raise their complaints of being negatively affected by specific business activities and/or operations of any nature, including technical, social, or economic nature. The grievance mechanism may be provided directly through collaboration with other companies, or through an industry program or institutionalized mechanism and in accordance with the UNGPs. The grievance mechanism should be accessible, in local languages and also for those who cannot read or do not have access to internet. The grievance mechanism should include at least the following elements:

- A grievance committee with decision making power, with knowledge about the grievances, that is impartial, accessible, and gender sensitive.
- Grievance committee is formed by at least one member/worker representative
- The grievance mechanism has appropriate submission channels, for internal and external stakeholders, including workers, members, staff, buyers, suppliers, indigenous peoples, and communities
- Anonymous grievances are accepted and confidentiality is respected
- Human and labour rights grievances are remediated in accordance with the Remediation Protocol, and collaboration with the Assess-and-Address Committee and/or the Gender Committee/Person as appropriate, depending on the case
- Grievances and agreed follow up actions are documented, and shared with the persons involved within a reasonable timeframe
- Submitters of grievances are protected against employment/membership termination, retribution, or threats as a consequence of utilizing the grievance mechanism

## 1.2 Key concepts

### 1.2.1 Grievance mechanisms

A grievance mechanism is a procedure through which a grievance can be raised, assessed, investigated and responded to. In this report, the focus is on grievance mechanisms that a CH has in place to respond to negative human rights and/or environmental impacts. Grievance mechanisms are also referred to as operational grievance mechanisms or complaints mechanisms.

Grievance mechanisms should provide user groups – those people potentially affected by a CH's actions or activities - with a way of raising concerns to the CH and for this to lead to effective resolution of the complaint including prevention of further harm and provision of remedy where necessary. Depending on the design and structure of the CH, user groups may include a CH's workers, member farmers, subcontracted and seasonal workers and/or surrounding community members.

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<sup>1</sup>Note that there are potential upcoming changes to the RA Requirements on Grievance Mechanisms.

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## 1.2.2 Remedy

Remedy counteracts or makes good any harms that have occurred as a result of a CH's activities. This may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions, as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition. The Rainforest Alliance's Remediation Protocol provides guidance to CHs on how to provide remedy for certain types of harms and in this process it is important for CHs to understand what those affected would view as effective remedy.

### **The role of grievance mechanisms in contributing to remedy**

Grievance mechanisms and remedy are often used interchangeably, though they are not the same. A grievance mechanism should be understood to be a process – for example, it is the way in which a CH deals with complaints of any sort, including the way it enables those with complaints to seek remedy. Remedy, on the other hand, is one of the possible outcomes of a grievance mechanism.

Where the two terms overlap is in relation to effectiveness. For a grievance mechanism to deliver remedy that effectively counteracts or makes good any harms, it should be designed and implemented in a manner consistent with a set of key 'effectiveness' criteria. These criteria are defined under the UN Guiding Principles on Business and Human Rights (UNGPs). These UNGPs criteria guide the Maturity Framework in [Section 5](#), which also includes outcome indicators related to remedy.

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# 2. Methodology

## 2.1 Objectives and scope

This research focused on CH implementation of the grievance mechanism requirement defined under RA's 2020 SAS. The key research questions for this project were:

- What are the prevailing practices regarding grievance mechanisms across a range of Certificate Holders?

- What (emergent) good practices and improvement pathways can be observed with regard to implementing GMs?

- What are the main challenges to implementing, using and auditing GMs?

- What is the level of effort and what are cost-effective ways of implementing GMs in a few typical scenarios?

In answering these questions, the research touched on other RA requirements and themes. For example, we received some anecdotal information on actual remedy provided to rightsholders, or we were given some information on the functioning of Assess and Address Systems set out under the RA Standard. However, as these were not the focus of this study, no comprehensive analysis of these issues was conducted or included in the report.

## 2.2 Phases

We addressed these questions in three phases consisting of desk research, an online e-survey, and a deep dive on 8 Certificate Holder grievance mechanisms.



### 2.2.1 Phase 1

The objective of the first phase was to gain a deeper understanding of the legal context across the countries and sectors included within the scope of the research. Given RA's global reach and the diversity of sectors and crops within scope, a defined group of countries was selected to be included in the study in order to provide wide geographic representation, along with a diverse array of crops and types of CH (Group, Individual Farm and Multi-site).

The first phase research identified where there were grievance mechanism-requirements in place at a national level, but also provides an overview of the existing routes through which human rights and environmental issues could be raised through the state's judicial and non-judicial processes.

Alongside this, we also reviewed reports on the types of human rights risks across each country and sector to identify the most salient common issues in each CH context included in this study.

These findings were delivered in an Inception Report, and summary findings from this are in [Annex 1](#) of this report.

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## 2.2.2 Phase 2

The objective of this phase was to build a picture of the practice and implementation of RA's grievance mechanism requirement across those countries and sectors in scope. The aim was to both develop an understanding on the current state of implementation, and to identify some potential good practices to include in case studies for Phase 3.

Prior to sending the survey, a sampling exercise was conducted to ensure a representative spread of CHs were included in the survey. The findings of the survey were delivered to RA in a workshop presentation and the data was also shared in Excel.

In order to ascertain current practice and challenges in auditing grievance mechanisms, an additional short survey for Certification Bodies (CBs) was developed. The objective was twofold. On the one hand, CBs' experience in assessing grievance mechanisms could provide valuable insights into overarching implementation of grievance mechanisms and common challenges faced by CHs. On the other hand, this survey obtained information on how CBs audit grievance mechanisms and what they consider to be useful indicators in verifying the state of CH grievance mechanisms.

The findings of the short CB survey were delivered to RA in the same workshop presentation that conveyed the findings of the survey for CHs. In addition to the survey, Ergon also engaged with representatives from RA's Standards and Assurance team to understand auditing approaches and challenges.

A summary of the survey findings can be found in [Annex 2](#) and more detailed findings in the PowerPoint delivered to RA after completion of the survey.

## 2.2.3 Phase 3

The third phase of research involved delving into specific cases to gain a more detailed understanding of how different CHs in different contexts have taken steps to improve their grievance mechanisms in line with RA's requirements. The objective was to identify lessons that could be shared with other CHs in similar situations, so they too could improve their grievance mechanisms.

Whilst the survey and case studies offered an opportunity to hear from CH management on how they have set up and are implementing their grievance mechanisms, only through the case studies could we seek to incorporate the views of the grievance mechanism's users – workers, communities and other relevant stakeholders – to better understand what works from their perspective.

Across the eight case studies we engaged with 66 workers, 3 community members, and 3 member producers through group and individual discussions. The engagement with these users was not evenly spread across all case studies, and in some we were given greater opportunity to engage. Nonetheless, the case studies and resulting outcomes in the Maturity Framework reflect the perspectives of these groups.

The table below summarises the case studies included in this report<sup>2</sup> and the full case studies are in [Annex 5](#).

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<sup>2</sup>Note that two of the case studies included in the report requested anonymity as a condition of participating in the research. As such, their names have not been disclosed and information that may attribute their case to them has also been removed.

| Name         | Certification type | Country       | Crop            | Size   |
|--------------|--------------------|---------------|-----------------|--|
| Agroecom     | Group              | Ghana         | Cocoa           | 1,412 members in Obuasi district                                       |
| SPAD N'Douci | Trader-led group   | Cote d'Ivoire | Cocoa           | 985 members across 3,000 hectares in 2 districts                       |
| Balsu        | Group              | Turkey        | Hazelnuts       | 2,034 members across 5 districts                                       |
| Kakuzi       | Multi-site         | Kenya         | Tea             | 687 permanent staff and 2,521 temporary workers across 14,000 hectares |
| Grupo HAME   | Multi-site         | Guatemala     | Bananas         | 12,581 workers across 10,000 hectares                                  |
| Brazilian CH | Multi-site         | Brazil        | Coffee          | 850 – 1200 workers across 3,200 hectares                               |
| Calla Farms  | Individual         | Colombia      | Flowers         | 116 permanent workers and around 216 temporary workers on one site     |
| Malawian CH  | Individual         | Malawi        | Plantation crop | Over 6,000 employees   |

The case studies identified good practices to implement effective grievance mechanisms, as well as lessons learned for overcoming common obstacles. The objective was to pinpoint the practical implications for CHs making improvements to their grievance mechanisms. For example, what was the first step taken to make an improvement happen? What came after that? And what was necessary to make these changes in terms of capacity and resources?

The practical lessons from the case studies were then incorporated in the development of the Four Stage Maturity Framework that can be found in Section 6. The Framework sets out the different steps that Certificate Holders can take to improve the effectiveness of their grievance mechanism. The Four Stages were designed to reflect the actual learning pathways of the CHs engaged in this study, both those that were surveyed as well as those profiled in the case studies, as mentioned above.

## 2.3 Limitations

- Not all geographies and crop types could be included in scope for the survey and subsequent case study selection. However, we have aimed to include such a range of contexts in the study– regions, crop types, types of RA certification – for the learnings to be useful to a wide range of RA Certificate Holders.
- Research findings are skewed towards Latin American and African CHs, whereas Asian CHs are under-represented. It was not possible to include more case studies from Asia due to low survey responses from Vietnam and Indonesia.
- Survey responses were based on CH self-reporting on their own practices. Not all surveys were fully complete and there is scope for some questions to have been misinterpreted or not filled out with complete accuracy.
- Identifying good practices to cover in the case studies was a challenge. Survey responses generated some indications of good practice, though other routes to identify more mature CHs arose through suggestions from RA regional teams.

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# 3. Overarching findings

## 3.1 Prevailing practices regarding grievance mechanisms

### 3.1.1 Overview

Many CHs are currently implementing grievance mechanisms that are at an early stage of maturity. This is evidenced through responses to the survey and in the case studies included in our research.

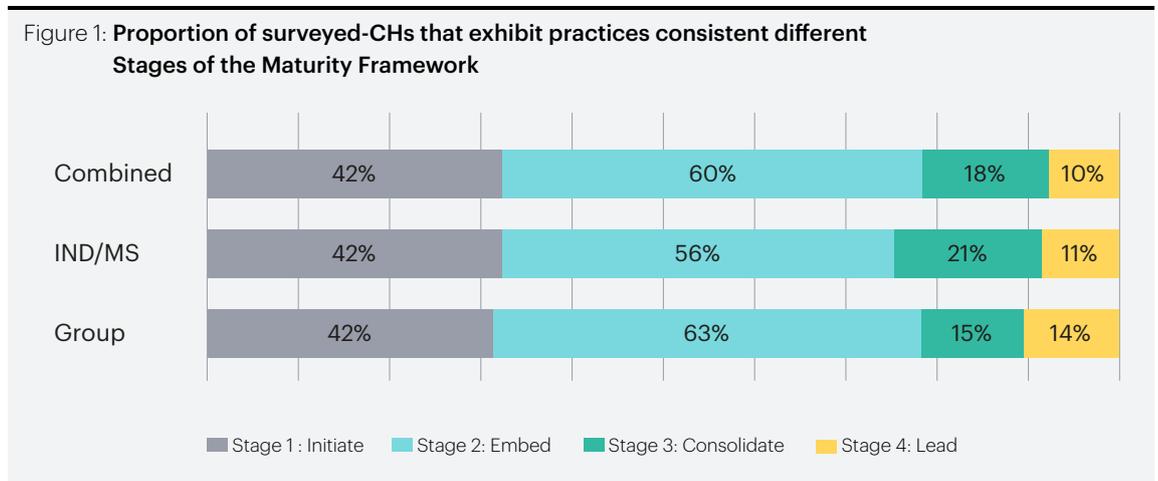
This low level of maturity among CHs' grievance mechanisms is not necessarily out of line with standard practice across the countries and sectors included in our sample for this research. For example, none of the countries within the scope of this research legally mandate companies to have OGMs, and very few companies are known to operate such mechanisms in these countries and sectors. Likewise, recent audit data suggests that globally, the grievance mechanism requirement is the section of the 2020 RA SAS with the greatest number of non-compliances (NCs) raised during audits.

The findings in our research and from recent audit data reinforce the need to improve grievance mechanisms across nearly all CHs.

### 3.1.2 Findings

**The majority of surveyed Certificate Holders have grievance mechanisms at an early stage of maturity** These findings are almost identical for Group-, Individual and Multi-site-CHs. See Figure 1 below. Using the Maturity Framework in [Section 5](#)<sup>3</sup> of this report as a measure of grievance mechanism maturity, the responses to the survey from CHs indicate that:

- **42% of CH mechanisms have attributes that place them at least at Stage 1 – the lowest maturity level**
- **60% of CH mechanisms have attributes that place them at least at Stage 2**
- **18% of CH mechanisms have attributes that place them at least at Stage 3, and**
- **10% of CH mechanisms have attributes that place them at Stage 4 – the highest maturity level**



<sup>3</sup>Stage 1 is the lowest stage of maturity and Stage 4 would indicate evidence of best practice.

To make the assessment of mechanism maturity among survey respondents, four key criteria were examined. The table below sets out the indicators used to identify the maturity of CH grievance mechanisms across the four criteria.

| Criteria                          | Stage 1:<br>Initiate  | Stage 2:<br>Embed  | Stage 3:<br>Consolidate   | Stage 4:<br>Lead   |
|-----------------------------------|---|--|---|--|
| Number of complaints received     | 0   | 0 – 10   | 11 – 50   | 51+  |
| Types of issues raised            | Non-human rights issues reported / no human rights issues raised at all | Issues related to working conditions including hours, health and safety, wages etc   | Issues affecting communities including security concerns  | Severe human rights issues, including gender-based violence and harassment, child labour and Forced labour |
| Awareness of Remediation protocol | No awareness or no response provided                                    | CH notes that they are aware, but no comment elaborating on how  | CH notes that they are aware, and describes how it is being implemented   | CH provides a description of remedy being provided through use of protocol                                 |
| Steps taken to improve mechanism  | No steps taken to improve the mechanism in the past year                | Foundational steps have been taken to develop or strengthen a mechanism – including a formalising of process, developing a policy, defining roles, increasing access etc | Steps taken to improve implementation of the mechanism including allowing anonymity, developing or strengthening committees, etc. | Steps taken to widen engagement of external stakeholders in grievance handling                             |

For an overview of the approach taken to place survey responses across the 4 Stages of the Maturity framework, see [Annex 4](#).

### Certificate Holders receive few complaints

Many surveyed CHs receive few or no complaints. This means many CHs have mechanisms demonstrating characteristics that would place them at Stages 1 or 2 of the Maturity framework.

This applies to Group-, Individual- and Multi-site-CHs. For example, 60% of certified Groups reported receiving no grievances in the past year, whilst 29% of Individual or Multi-site-CHs also reported receiving no grievances. No CH reported receiving more than 100 complaints in a year. Given that the average number of workers employed or member farmers engaged by CHs in some countries is well over 1,000 – this suggests one of two things.

1. It can be viewed as an indication of there being no issues, or
2. The grievance mechanism is not known and/or used by its intended user groups, which is more likely given the prevailing risks in the sectors and countries within scope. And the reasons for this can be a result of a variety of factors including a lack of awareness or trust in the process by mechanism users, or issues with the way the company manages the mechanism, which could include a lack of record keeping, informal complaint handling, etc.

For example, surveyed CBs observe that many workers are often unaware of available grievance mechanisms, and when workers do know about it, they often don't understand the grievance process,

which poses a significant barrier to potential complainants having trust in the process. Whilst most CHs included in the case studies also receive very few complaints there are some examples that demonstrate an upward trajectory in the number of complaints being raised - though even these still receive a relatively low number.

- Agroecom Ghana’s grievance mechanism in the district of Obuasi received 28 complaints in its first 12 months, which – though a gradual increase from before improvements were made – remains a low number compared to the large size of the company’s operations in the district - 1,412 farmers.
- Turkish hazelnut producer Balsu (a Group-CH with 2,034 members operating across 5 regions) received 55 complaints within the preceding 12 months, more than double the number of complaints raised in 2021.
- Similarly, a Brazilian coffee producer in another case study now receives on average seven worker grievances per month, where previously this was an average of four per month – a 75% increase.

The one outlier from these examples is Kenya-based company Kakuzi which reported receiving very few complaints before making significant changes to their grievance handling processes in 2021. Within a year of making those changes, it received nearly 2,000 complaints, submitted through different complaint channels and handled through two separate complaint mechanisms. This was the most dramatic increase across all CHs involved in the research and is a signal of the mechanism being known about and beginning to be trusted by user groups. More information on this can be found in the next section.

**The majority of CHs report that they have effective grievance mechanisms.**

CHs were asked whether they think their mechanisms respond effectively to key issues, and 59% of Groups and 69% of Farms replied that they did. Though most of these CHs did not elaborate on this, those that did provided numerous justifications, including because of improvements to accessibility, user representation on committees, having strong company cultures or due to having robust procedures. The table below provides an overview of some responses received.

| <b>Category</b>                  | <b>Reasons for effectiveness</b>  |
|----------------------------------|---|
| <b>Good accessibility</b>        | <p><i>‘it is a secure mechanism that members can easily access.’</i></p> <p><i>‘the office is accessible to them.’</i></p> <p><i>‘Our grievance mechanism has become more accessible to communities and keeps complainants confidential.’</i></p>   |
| <b>Representative committees</b> | <p><i>‘The complaints mechanism covers them because the committees are made up of members and/or certified people guarantees that a much broader bond of trust can be had.’</i></p>   |
| <b>Company culture</b>           | <p><i>‘Because we value and have clear rights of people and try to promote development and good working environment.’</i></p> <p><i>‘We believe that no one is more than another and people in senior management have the responsibility for the life of each employee, as well as the food and well-being of their families, so it is that regardless of the means used, complaints are addressed and people listened to.’</i></p> |
| <b>Robust procedures</b>         | <p><i>‘When the complaint is submitted, the reception, the study and the solution is sought in the time stipulated in the mechanism or procedure.’</i></p>  |

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## CHs receive a variety of different complaints

1. Across CH-types there is a variation in types of complaint raised.
2. Group-CHs also received a significant number of complaints from members regarding commercial issues
3. 34% of CHs reported receiving complaints about serious human rights issues, including forced labour, child labour or GBVH

### **Across all CH types, the most commonly reported type of grievance was in relation to general working conditions, including health and safety, working hours, wages and transport.**

Eighty-three percent of surveyed-CHs highlight that their grievance mechanism deals with these types of issues. This would place these CHs at least at Stage 2 of the Maturity Framework against this criterion. Non-workplace related issues, include those impacting communities such as land disputes and security related issues, are dealt with by 34% of CHs.

### **Nonetheless, CHs do report handling complaints related to serious human rights issues.**

In the overall placement of survey responses within the Maturity framework, there is one response field which has slightly skewed the findings. This relates to 34% of CHs stating that their mechanisms receive complaints related to serious human rights issues such as forced labour, child labour or gender-based violence and harassment.

This skews the results as dealing with these serious issues would typically be considered a sign of maturity and would be an indicator of a mechanism at Stage 4 of the Maturity framework. Dealing with such issues suggests a degree of trust among affected rightsholders to raise very sensitive issues and to have them addressed effectively. The only other question where CHs responded with signs of having a mechanism with Stage 4 attributes was in relation to steps taken to improve the mechanism and engagement with external third parties. This only applied to 6% of CHs.

Half of the CHs profiled in the case studies are also dealing with serious human rights issues. These CHs include certified Groups and Farms, and at least two of these CHs have improved focus on serious human rights issues as a result of negative reporting of those issues occurring. *More information these can be found below and in the following section.*

- For Kakuzi, efforts to improve the grievance mechanism have resulted in an increased focus on receiving and resolving complaints related to GBVH, which the company understands to be a prevalent issue.
- Calla Farms has an Office of Staff Welfare equipped to receive and respond to complaints about sexual harassment.
- The Malawian producer of plantation crops reports receiving complaints relating to GBVH as well as abuse and malpractices during recruitment processes linked to forced labour.
- Similarly, Balsu management recognizes the challenge of addressing child labour in hazelnut harvesting, and as a result engages with civil society organisations as part of prevention and remediation efforts.
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Interestingly, these survey responses and case study examples are not confirmed in information provided by CBs. In response to questions about challenges CHs face in implementing a grievance mechanism, CBs noted that they can struggle to receive complaints about sensitive topics. This can include receiving complaints regarding wages or issues of reprisals against people that complain. For CBs, in such cases users tend to raise the issue with the CB during an audit rather than directly with the CH. Though this flags a lack of trust among user groups towards grievance mechanisms established and operated by CHs, it also signifies the positive role played by CBs in identifying certain issues.

**Group-Certificate Holders receive many complaints not related to human rights impacts.**

55% of Group-CHs received complaints that were not human rights-related. This includes issues raised by members related to commercial dealings with the Group such as credit, payment terms etc. This is lower for Individual and Multi-site-CHs, where 39% of reported complaints weren't human rights related. This is an indication of CHs in line with at least Stage 1 of the Maturity Framework against this criteria. That Group-CHs deal with significant numbers of complaints from members regarding their commercial relationship is not surprising as the group management is often responsible for product aggregation and selling. And whilst these complaints may not directly relate to negative human rights impacts, they may contribute to negative outcomes for workers hired by member farmers - for example if payment terms result in members not being able to pay their hired farm workers.

Indeed, two of the Group-CHs in the case studies also report dealing with these such issues. For instance, Agroecom's main source of grievance are from members that have concerns about delays in the purchasing of harvested cocoa and delays in supply of planting materials. Likewise, members of the cocoa cooperative, SPAD N'Douci (985 cocoa and coffee producers, across 3,000 hectares) in Cote d'Ivoire use the CH's grievance mechanism to raise concerns regarding payment of premiums and the supply of agricultural inputs, such as fertilizer. Members have also used the mechanism to appeal against decisions of the group management that exclude them from group membership due to allegations of producing in protected areas.

Table 1: **Top 5 complaint topics from survey**

| <b>Group-CHs<br/>– top 5 complaints topics</b>                                      | <b>Individual and Multi-site CHs<br/>– top 5 complaint topics</b> |
|---|---|
| 1. Health and safety  | 1. Wages  |
| 2. Working hours / schedules  | 2. Transport  |
| 3. Appeals related to non-conformity findings from audits / certification decisions | 3. Health and safety  |
| 4. Issues related to prices or premium payments                                     | 4. Housing and living facilities                                  |
| 5. Not being granted credit or inputs / services (fertilizers, pesticides)          | 5. Food / water   |

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**Many Certificate Holders are focusing efforts on improving access and awareness of their grievance mechanisms.**

The findings show that the main steps taken to improve the effectiveness of grievance mechanisms thus far have focused on improving access and awareness of the complaint handling process among user groups. This is largely consistent with actions taken by CHs that have relatively immature grievance mechanisms – reflective of Stages 1 and 2 of the Maturity framework. These findings were particularly apparent for CHs that had been operating a grievance mechanism for under three years. In a few cases, some CHs that have been operating grievance mechanisms for a longer period of time demonstrated a greater diversity of steps to improve effectiveness, in addition to efforts to enhance accessibility and awareness, thus exhibiting more maturity in improving their mechanisms.

CH efforts to improve awareness consist of strengthening communication, providing awareness raising and training opportunities among intended users, and increasing the number of entry points to the mechanism. Within this last category, a few different types of CHs use technology-based channels such as WhatsApp or Facebook for individuals to raise concerns.

The focus on improved accessibility is also reflected in the case studies. For example, all eight CHs have taken steps to increase the number of channels for raising a complaint, including establishing telephone hotlines, installing suggestion boxes at easy-to-reach places, and increasing the options for stakeholders to voice their concerns face to face.

Recognising that raising stakeholders' awareness of the mechanisms available is key for increasing its use, all eight case study companies have combined their efforts to broaden access points with activities to raise awareness of their mechanism among intended users. Such efforts include distributing materials with information about the grievance mechanism and how to use it (on flyers, stickers and bracelets), as well as organising events and meetings to promote the mechanism or integrating information about the mechanism in existing meeting structures such as inductions and workplace talks. Additionally, three CHs have trained user groups on how they can use the mechanism. *More detail on this can be found in the following section.*

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# 4. Challenges and good practices

## 4.1 Overview

Across the different types of CH, there are many similarities in the challenges experienced in establishing and implementing more effective grievance mechanisms, and in the responses taken to improve the mechanisms. Nonetheless, certified-Groups also have some unique challenges when compared to certified-Farms.

This section provides an overview of the key challenges and the corresponding good practices across these different CH types, to share lessons on how to make improvements to grievance mechanisms. It also includes some the challenges CBs encounter when auditing CH mechanisms.

## 4.2 Group Certificate Holders

Table 1: **Group Certificate Holders covered in case studies**

| Name         | Certification type | Country | Crop      | Size  |
|--------------|--------------------|---------|-----------|---|
| Agroecom     | Group              | Ghana   | Cocoa     | 1,412 members in Obuasi district <sup>4</sup> |
| SPAD N'Douci | Trader-led group   | CDI     | Cocoa     | 985 members across 3,000ha in 2 districts     |
| Balsu        | Group              | Turkey  | Hazelnuts | 2,034 members across 5 districts              |

### 4.2.1 Challenges

#### **Group-CHs have challenges receiving complaints from intended users.**

In the survey, 35% of respondents said this was their primary challenge. This is reflected in responses to other survey questions which shows that 92% of Group-CHs received below 10 complaints in the past year – 60% received none - despite the average member size being 3,690, and the number of workers hired by member farmers likely to be a multiple of that.

#### **This challenge is tied up in other issues that CHs face, including building trust and raising awareness among user groups, improving the mechanism's accessibility, or simply recording complaints when they are raised.**

For Groups, raising awareness and improving accessibility is a particularly salient challenge given the nature and size of their operations. For example, a Group-CH will have multiple locations from which it purchases from member farmers, and these farmers themselves may also be quite dispersed across a region. Additionally, those farmers themselves will have workers that they hire and may work in multiple different communities. This means that Group-CHs inevitably have fewer direct points of contact with many potential user groups, which reduces likelihood of complaints being raised.

#### **Certified-Groups have a diverse range of user groups raising complaints which can make it harder to design a single mechanism that works for all users.**

In general, Group-CHs responded stating that they included more varied users within the scope of their mechanism compared to Individual- and Multi-site-CHs. For example, 86% of Groups included subcontracted or seasonal labourers within the scope of their mechanism, compared to 61% of Individual- and Multi-site-CHs.

The survey also suggests that Group-CHs may receive more complaints about severe human rights issues such as child labour (reported by 17% of Group-CHs compared to 5% of Individual and Multi-site-CHs) and GBVH (reported by 24% of Group-CHs compared to 12% of Individual and Multi-site-CHs). Whilst positive that such issues are being detected, it also signals potential challenges in ensuring adequate responses to these issues and preventing them from occurring.

<sup>4</sup> Agroecom operate across 80 districts in Ghana, 14 of which in Ashanti are RA-certified. Agroecom's work in one of these districts is covered in the case study.

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### **Making good use of Committees appears to be a challenge for Group-CHs.**

As per RA's requirements on grievance mechanisms, each CH needs to have a grievance committee - with worker representation / a farmer representative for Groups - along with a Gender Committee/person and/or an Assess-and-Address Committee as appropriate. The best way to structure these Committees can be a challenge for Groups given that this sort of committee typically makes more sense in settings with a single workplace / employer, and where representatives are known and trusted by their constituents. This may partly be why only 17% of Groups that responded to the survey had set up a new Committee.

## **4.2.2 Overcoming these challenges – Good practices**

### **Increasing numbers of complaint handlers**

One way that Group-CHs are seeking to improve the numbers of complaints is to improve accessibility and awareness among user groups by increasing the number or strengthen the capacity of staff involved in handling complaints.

This makes sense given that the survey showed Group-CHs have on average 1 grievance handler for every 359 group members. This is evidently insufficient, especially when compared to certified-Farms, who have on average 1 grievance handler for every 99 workers. Whilst there is no accepted ratio of complaint handlers to potential complainant, each of the Group-CHs analysed in case studies recognises the need to increase their capacity to receive and manage complaints, which they have in different ways.

- **Increase staff numbers.** The Turkish hazelnut processor and exporter Balsu has hired additional staff with responsibility for complaint management. New staff have been added every few years since 2017. This has seen a 50% increase in the number of personnel involved in complaint management at a field level since 2017, and all new staff members have dedicated sustainability-related responsibilities, including a mandate to raise awareness of the grievance mechanism, build trust, and receive complaints. Given the geographic distribution of their members' farms, this increase in field level representation has been seen as important to improve Balsu's presence on the ground.
- **Increasing number of grievance committee members.** Since 2017, the Ivorian cocoa trader SPAD N'Douci has focused on increasing the number of grievance committee members by adding 14 new representatives. This has nearly doubled the size of the committee and has been done by hiring new staff to participate as well as inviting existing Group-members to sit on the committee. The committee now includes two worker representatives and a gender representative. Hiring new staff for the grievance committee was resource intensive as it required both time and company resources to recruit and train new staff. However, it was important to have a more diverse grievance committee to comply with the 2020 RA SAS. SPAD N'Douci also hopes that a more representative committee will make a wider range of potential mechanism users feel comfortable raising issues verbally with committee members.
- **Establishing numerous decentralised committees:** Agroecom has taken a slightly different approach to forming grievance committees. Rather than having one Grievance Committee with broad representation, it has established individual grievance committees in each of the districts where it operates, specifically tasked with overseeing issues raised by Group members and communities within that district.
- **Retraining existing staff:** Agroecom has also retrained existing staff to handle grievances which has helped the CH to keep costs down. Additionally, as member farmers are already familiar with current staff members, involving them in the grievance handling process has helped build trust among farmers and their workers in the grievance mechanism. This approach has been applied in one of the districts where Agroecom operates (Obuasi).

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### **Build capacity of complaint handlers**

Findings from the survey show that 18% of Group-CHs have taken steps to strengthen their grievance committees' capacity to handle complaints through training. The importance of building capacity among those involved in complaint handling is reflected in three case studies showcasing Group-CHs. Interestingly each of these takes a different approach to building capacity, which appears to be based on target audience and available resources.

Balsu decided to train their staff responsible for grievance handling, including new recruits. This training is delivered in-house, as Balsu already has expertise and capacity to share learnings. The focus of this training was to make staff more approachable and to engage positively with seasonal workers, as this was feedback provided by seasonal hazelnut workers.

Agroecom also trained staff with responsibility for complaint handling. As a first step, core staff members followed a training by Rainforest Alliance. The aim was to build awareness and understanding of core staff before cascading to Agroecom's member farmers using a Training-of-Trainers approach. Using this external support was essential where limited capacity existed.

SPAD N'Douci engaged a consultant to build the capacity of its staff, group management and the members of the grievance committee to effectively handle complaints. This was probably more expensive than the peer-to-peer training used by Balsu, but it made sense as SPAD N'Douci had little in-house expertise and decided that this initial investment was necessary.

### **Enhance the accessibility of grievance mechanisms**

The survey findings show that 15% of Group-CHs have worked on establishing more entry points to their mechanism. As described above, for Groups - especially trader-led groups - ensuring the mechanism is accessible can be challenging owing to the size of their operations and spatial distribution of members and their workers.

To address this, installing complaints boxes at multiple strategic, easy-to-reach places across their respective operations has been a key first step for both SPAD N'Douci and Agroecom. For Agroecom this has meant locating complaint boxes in areas they know many of their farmers will visit, which in their case is cocoa collection depots, or in other key locations at the district level in which cocoa farmers are based. In this case, complaints need to be submitted in writing.

In addition to complaints boxes, Balsu opted to utilize technology to make its mechanism accessible to its extensive network of 2,034 farmers by implementing a grievance hotline and enabling stakeholders to raise concerns via WhatsApp groups at their respective community level. Additionally, Balsu has increased the number of alternative ways in which complaints can be raised, catering to the different groups of seasonal migrant workers that come each year for the harvest. This includes options to submit a written complaint, to send SMS messages, engage directly with staff in orchards, and to raise concerns during internal and external audits.

Balsu's multi-layered approach to receive complaints makes the mechanism more accessible to different types of potential users, be they seasonal workers from different countries, community members or member farmers.

### **Raising awareness among potential mechanism-users**

The sectors and countries where many Group-CHs operate are characterised by widespread informal labour markets, the presence of large numbers of seasonal workers and remoteness of communities. These factors inhibit effective awareness raising, particularly for Groups whose in-scope users are likely to live dispersed across wide geographic areas. Indeed 26% of Group-CHs in the survey indicated they have taken steps to improve communication, awareness and training about the mechanism, similar steps to those CHs included in the case studies.

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**Distributing posters:** Whilst Agroecom seeks to raise awareness by placing information about the mechanism at key strategic locations, Balsu distributes such materials among farmers, workers and community members where they are based.

**Notifying influential figures.** Agroecom has held discussions with key Group members and community members, including local chiefs, pastors and imams, and youth leaders, asking them to serve as ambassadors for the mechanism within their communities. Similarly, Balsu reaches out directly to labour agents that work with seasonal hazelnut workers to alert them about the existence of the mechanism, and also speaks directly to family member and asks them to pass on information the rest of their family and neighbours.

*Other interesting approaches to raising awareness which are of relevance to Group-CHs can be found in good practices of Individual and Multi-site-CHs.*

### **Recording complaints**

One potential explanation behind the low numbers of complaints reported is that complaints may be dealt with informally through bilateral engagement between the complainant and CH manager / supervisor. CBs surveyed and findings from several case studies suggest that CHs often have informal systems to deal with complaints. Where this happens, it is common for complaints, and the resulting resolution, to not be recorded or captured. This is not to say that such informal procedures to resolve complaints are bad; in fact, they may be the best way to quickly resolve problems. The challenge for CHs is that it prevents them from picking up on wider trends and issues that may require a more systematic response to prevent future harms.

The challenge exists for all certified companies but is particularly relevant to Group-CHs due to the dispersed nature of their operations described above and that they may have potentially more people informally involved in grievance handling. This can result in an inconsistent manner in which complaints are resolved and recorded.

Of the certified Groups profiled in this study, Balsu has focused most attention on making sure that complaints are recorded and captured centrally. All complaints are registered and recorded within Balsu's grievance register, where a defined individual is assigned with responsibility for handling the case. This has been developed by expanding out the company's existing Quality Management System (QMS) to incorporate grievance records alongside records on other compliance matters. This approach means the company is able to identify trends on issues raised, and to track which cases have been resolved or which remain open and ongoing.

### **Cost-effective improvements.**

Interestingly, only 8% of Group-CHs indicated that costs constitute a challenge in handling and remedying grievances, compared to 2% of Individual and Multi-site CHs. While all three CHs profiled in the case studies have invested resources to improve their grievance handling procedures, Agroecom describes how they have been able to keep costs down by retraining existing staff to improve the mechanism's functioning. Working with current staff and integrating contracted workers such as Purchasing Clerks into the grievance handling system has meant the CH has not had to hire new staff to implement its grievance mechanism. However, these efforts have not yet resulted in significantly more complaints being made to Agroecom.

For SPAD N'Douci, keeping costs down has also been important. However, some investment has been necessary to make improvements. To obtain the necessary budget for these expenses, senior management buy-in has been crucial. As a result, the CH's staff member responsible for translating RA's requirements into practical actions has worked on building up support for developing a more robust grievance mechanism among senior managers. Success in doing so has resulted in an investment that has amounted to around 7,843,000 FCFA (€ 11 843), of which the most expensive outlay has been on hiring new staff members for the GM committee.

#### **Complementary measures to protect human rights**

All three Group CHs have other processes in place to respond to salient risk issues in their country and sector. For example, Agroecom in Ghana operates Child Labour Monitoring and Remediation Systems (CLMRS) to monitor, prevent and remediate cases of child labour. Likewise, Balsu operates a number of child protection programmes to prevent child labour. What these initiatives both reinforce is that addressing endemic human rights issues requires engagement in initiatives beyond grievance mechanisms, often in cooperation with other expert stakeholders such as civil society groups. Those Group-CHs that had such broader systems in place, including CLMRS, consider these systems to be separate from their grievance mechanisms. This suggests that, while the RA 2020 SAS foresees a strong linkage between the two systems, CHs see them as decoupled in practice.

## 4.3 Individual- and Multi-site-Certificate Holders

Table 2: **Individual and Multi-site Certificate Holders covered in case studies**

| Name         | Certification type | Country   | Crop            | Size   |
|--------------|--------------------|-----------|-----------------|--|
| Kakuzi       | Multi-site         | Kenya     | Tea             | 687 permanent staff and 2,521 temporary workers across 14,000ha    |
| Grupo HAME   | Multi-site         | Guatemala | Banana          | 12,581 workers across 10,000ha                                     |
| Brazilian CH | Multi-site         | Brazil    | Coffee          | 850 – 1200 workers across 3,200ha                                  |
| Calla Farms  | Individual         | Colombia  | Flowers         | 116 permanent workers and around 216 temporary workers on one site |
| Malawian CH  | Individual         | Malawi    | Plantation crop | Over 6,000 staff   |

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### 4.3.1 Challenges

#### **Similar to the certified Groups described above, Individual- and Multi-site-CHs also receive low numbers of complaints.**

As the survey findings show, 80% received fewer than ten complaints in the past year – 51% received none – and only one of all Individual and Multi-site-CHs received more than 50 complaints. This is surprising given that the average workforce size of respondents of this CH type is 944, the largest CH employs over 10,000 workers, and all CHs surveyed operate in sectors and countries with many known human rights risks.

#### **As with certified-Groups, the lack of complaints is likely to be a result of a lack of trust among mechanism users and indicates potential gaps in awareness and accessibility.**

For example, 44% of Individual- and Multi-site-CHs indicated that building trust with potential complainants was a challenge. Reasons for a lack of trust can be varied. In some cases, CHs may have long standing negative relationships and a lack of trust with communities and workers. In others, a transient workforce of seasonal workers restricts the time available to CHs to build rapport and trust among workers.

#### **Individual- and Multi-site-CHs receive few complaints from surrounding communities.**

Although all the CHs profiled in the case studies allow complaints from community members, the number of complaints that they receive from this user group is often limited. Indeed, only 30% of surveyed CHs report receiving complaints about community related issues. The experience of these CHs highlights the difficulty of broadening access and awareness and building trust with community groups that may not come into contact with the company more regularly, unlike workers or group members. The examples of Calla Farms, the certified Brazilian CH and Grupo HAME all illustrate the challenges of translating awareness raising efforts among communities into increased complaints.

#### **Adequately investigating and following up on anonymous complaints poses a challenge.**

The CHs surveyed as part of this research highlighted that one of the main challenges faced by CHs is investigating anonymous complaints. 31% of surveyed certified-Farms indicated that investigating anonymous complaints is one of their main challenges, compared to 18% of certified-Groups. A key reason for this may be that Individual- and Multi-site-CHs receive more anonymous complaints. A higher number of anonymous complaints may be the result of the comparative close proximity in the relationship between an employer and worker on a certified-Farm. For those using the mechanism, there may then be a greater fear of reprisal or retaliation for submitting complaints, thus resulting in more anonymous complaints. Similarly, the lack of trust among potential users that was reported by many surveyed CHs may also lead to more concerns being raised on an anonymous basis. Additionally, putting in place processes to not just receive anonymous complaints, but to be able to follow-up to them and investigate can be challenging – for example because of having very limited personal information about the complainant or detail about the grievance – and requires sufficient capacity and resources, which may not be available to all CHs.

#### **Involving trade unions in complaint handling process.**

Although the research sought to identify examples of CHs that involve trade unions in their grievance handling processes, this proved difficult. Survey responses demonstrate a relatively nascent integration of unions into farm-level grievance mechanisms, and among CHs surveyed, trade unions are among the least commonly accepted group of stakeholders that are permitted to raise complaints to the grievance mechanism, with only 58% of Individual- and Multi-site-CHs including unions within their scope of potential complainant. Based on the responses, only those CHs with more than 10 years' experience demonstrate engagement with unions in the grievance handling process. This illustrates that involving unions in grievance management is something that CHs can find challenging, and where engagement with unions does occur, this is an indicator of a more mature grievance mechanism.

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## 4.3.2 Overcoming these challenges – Good practices

### Obtaining senior leadership buy-in

As with certified Groups, Individual Farms and Multi-site-CHs also need senior leadership buy-in to make a grievance mechanism more effective. This is important to secure funding, convince staff and users of the mechanism that it is important and a priority for the company. How a company obtains senior level buy-in or support, and how it then conveys this clearly varies from company to company, and different ways of doing this are shown by certified producers covered in the case studies.

- **Have senior level management play a role in the mechanism and make them accountable for the outcomes provided to user groups.** This is also a recommendation included within RA's guidance on OGMs. For Kakuzi, a Kenya-based CH that cultivates tea, a grievance committee was developed and its membership included the company's Managing Director. Likewise, the Brazilian coffee producer involves two directors in its grievance committee to ensure senior managers can make quick decisions when issues arise.
- **Make the business case for an effective grievance mechanism.** Although the improvements made to its grievance mechanism by the Malawian plantation crop producer required significant financial investment, management was convinced that the costs of not taking action would be higher in the long run. For them, the potential escalation of negative impacts would require more resources to remedy once identified. Their experience highlights the importance of having an understanding of this dynamic at senior levels to ensure sufficient buy-in. This in turn was necessary to ensure there were sufficient resources available and to demonstrate to all staff and user groups that it was a priority.
- **An ineffective mechanism can contribute to lower workplace satisfaction and productivity.** Senior management at Colombian flower producer Calla Farms wanted to strengthen their engagement with workers to improve worker retention. To do this, the company invested in the creation of new staff functions on worker welfare to improve this engagement, which also included contributions to the improvement of their grievance mechanism.
- **Linking staff performance to functioning of the mechanism** is another way senior management can incentivise wider buy in across an organisation. The senior management of Grupo HAME, a Guatemalan banana producer took a decision to link performance bonuses to adherence with the new policy after it was developed. This helped overcome an initial resistance to the new policy, and staff now highlight the benefit of having a new defined procedure that they can refer to, rather than having the pressure of having to respond to issues in an ad hoc manner.

### Increasing routes through which complaints can be raised

Survey findings show that 25% of Individual and Multi-site-CHs have worked on establishing more entry points to their mechanism. And the CHs profiled in the case studies take different approaches to broadening these access points. Similar to the examples from the Group-CHs, changes made were based on the needs of the target audiences and available resources. Notably, a number of CHs have added multiple different options through which complaints can be raised, with the intention that each may be preferred by different potential complainants. Some examples of different access routes are described below.

- **Complaints boxes:** A number of CHs have identified the importance of having complaints boxes available for user groups to raise concerns. This is valuable as it is seen by CHs as a low-cost and effective way to improve accessibility and allow user groups to raise complaints anonymously, as they do not have to see anyone or include person data like an email address. Recognising this, the Malawi plantation crop producer chose to install new suggestion boxes across its operations, placing them in locations that are convenient but which also allow for anonymity to be maintained (i.e. not in sight of a supervisor office or near CCTV).

- **Telephone hotlines:** Establishing a telephone hotline for users to raise concerns is another measure that CHs have taken to enhance a mechanism's accessibility. This is an approach that has been taken by Kakuzi and Grupo HAME, that both operate a free-of-charge grievance telephone number. While this requires significant resources to set up and implement, it is understood to be a highly accessible way for impacted people to raise their concerns as it requires only the use of a mobile phone and no reading or writing skills, which is particularly useful in contexts where those affected have low levels of literacy.
- **Messaging services:** Several CHs allow users to submit complaints to the company via WhatsApp. User groups that wish to make a complaint to Kakuzi can do so via this route, and the Brazilian coffee producer has recently started to use a WhatsApp number directly to its HR function. While this requires some planning and coordination to make sure that messages are responded to within a reasonable timeframe, it provides CHs with a cheap option to have direct and remote communications with complainants, whilst offering those complainants easy access to the mechanism wherever they are. Additionally, where a CH sets up such a channel and uses a WhatsApp Business account, it is also possible to send automatic replies to complainants after they have submitted a complaint which acknowledges receipt of the complaint and describes the process for assessing and investigating the complaint. This can reiterate the CHs process and help manage expectations.
- **Face-to-face:** The findings of several case studies reinforce the importance of maintaining channels for affected groups to voice their concerns face-to-face. The CHs profiled in the case studies have done this in different ways. For example, the Malawian plantation crop producer put in place grievance committees at different levels of its operations, enabling workers to easily present their grievances directly to committee members without having to travel far. At Calla Farms, workers can raise issues with the Consultative Committee, speak to workplace representatives, or engage with the Office of Staff Welfare about any grievances they may have.

Grupo HAME took an innovative approach by creating the fictional figure of 'Don Manuel', who is represented by the company's local administrators. Don Manuel makes regular visits to banana farms to speak with workers, thereby raising both awareness of the mechanism and enabling workers to raise their concerns directly with them. While it took time to build trust in Don Manuel among users, as well as likely some financial investment in capacity building, this has reportedly been a worthwhile undertaking given the size and spread of Grupo HAME's operations.

### Raising awareness among users

Survey findings indicate that 34% of certified Farms have taken steps to improve communication, awareness and training about the mechanism. Such awareness raising among users can be challenging due to the presence of large numbers of seasonal workers, who may speak a variety of languages and not return to the same farm each year. The CHs profiled in the case studies take different approaches to try and address these challenges.

- **Worker inductions:** Worker inductions provide CHs with a standardised process through which to raise awareness of the mechanism among a key user group. Inductions can include information on workers' rights at work, the process and potential outcomes of the mechanism, alongside other information on rules and responsibilities that a CH wants to convey to their workers. The benefit is that inductions can be standardised and rolled out widely. However, there is a risk that the important messages related to grievances get crowded out by other relevant information covered in the inductions. Additionally, worker inductions only benefit workers, leaving out other user groups. Kakuzi, Calla Farms and the Brazilian coffee CH all integrate information about the grievance process in worker inductions, and Grupo HAME even includes it in their hiring processes.

- **In-person training and awareness raising:** Another way of raising awareness is to conduct specific training or workshop sessions among user groups to convey information about the mechanism. The benefit to this is that specific sessions can be tailored to a particular group of users or indeed for staff members implementing the mechanism. The Brazilian coffee producer organised training sessions with all workers with the sole purpose to raise awareness about the mechanism, its functioning, and the election of workers' representatives for the grievance committee. The CH in Malawi visits areas where workers reside to make them aware of the reporting mechanisms in place. Lastly, those involved in managing Kakuzi's independent complaints mechanism hosted community meetings in conjunction with chiefs and sub-chiefs to spread awareness of the available mechanisms. Each of these trainings and workshops were designed to work in the local context and to benefit specific target groups. The aim of this approach was to also reach those users that may not have been able to join a training about the available grievance channels.
- **Organising special events:** Another approach taken by the Malawian CH has been to organise special events that announce changes to the mechanism to workers. This is deemed to have been instrumental in raising worker awareness but also in signalling to those user groups that the mechanism– and issues experienced by users – are a priority and important to the CH.

*Other interesting approaches to raising awareness which are of relevance to Individual and Multi-site-CHs can also be found in good practices of certified Groups.*

### **Increasing the independence of the complaint mechanism**

Mechanism users need to be able to trust that the grievance handling process will be independent and fair. An independent process, or process that is not fully under the control of CH management, can be a useful means of getting users to raise their concerns with the company.

Establishing grievance committees with elected worker and/or community representatives can help build the trust that a mechanism is legitimate and independent, particularly where this committee has a clear mandate and ability to influence CH decision making (see below for more).

Another approach has been demonstrated by Kakuzi who, after reviewing and updating their grievance handling practices, developed a two-tier system to handle complaints. One tier is operated by CH staff, while the second tier is independent and is staffed by a former High Court Judge and former police officers acting as investigators. In the first year of operating the two new mechanisms, the independent mechanism received roughly 1,500 complaints, compared to about 400 for the mechanism operated by company staff. Many of the complaints taken to the independent mechanism were submitted by community members. The larger number raised to the independent mechanism demonstrates the importance of having a process that users feel is independent. This approach also highlights that it can take significant investment to create separate processes staffed with relatively senior ranking and trusted individuals.

### **Linkages with existing third-party mechanisms**

A strength of a grievance mechanism is also being able to escalate cases to other better positioned institutions when necessary. This means that the CHs need to understand the potential limitations of their own mechanism, in addition to what other available institutions or service providers may exist and how effective these are so that they may be leveraged when need arises.

The challenges that many CHs will face, however, is that there may not be effective state-based judicial or non-judicial mechanisms that can provide the requisite support to mechanism users. In such cases, it's vital that other types of institutions or service providers are identified to help deal with certain issues that are beyond the scope of the CH's responsibility to respond to. This can be the case where a CH has not caused, contributed to or is not linked to the negative impact that the complaint is focused on.

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For example, the certified plantation crop producer in Malawi recognised that some complaints are best handled by others or which fall outside the CH's scope of influence. And as a result, they have taken steps to link the CH grievance mechanism to external processes that can help user groups. For example, to support complainants that had issues outside of the company's scope – such as wives of male employees filing personal, non-workplace related complaints – the CH decided to develop a new partnership with a local women's rights NGO specialising in access to legal resources and advocacy. For those issues that are not in scope, complainants are now actively encouraged to seek support with the NGO, which can provide support in accessing legal resources and communicating with local police.

### **Safeguarding complainants against retaliation**

Eighty-two percent of Individual and Multi-site-CHs claim that they safeguard complainants against retaliation as part of their grievance handling process. This is a very positive finding, though it is not clear from the survey what these safeguarding measures entail. Indeed, surveyed CBs indicated that workers' fear of retaliation is an obstacle preventing them from using the mechanism. This constituted a major issue for the Malawian producer covered in one of the case studies. In their case, workers were previously reluctant to raise concerns relating to supervisors for fear of retaliation. However, this case and several other case studies do provide some examples of measures CHs have taken that contribute to safeguarding complainants from retaliation.

**One useful way to safeguard complainants from retaliation is to allow for anonymous complaints and to protect confidentiality.** As described above, this starts with providing routes through which anonymous complaints can be raised. Importantly, this does also require a follow-up process that meets the needs of the complainant and which prevents any form of retaliation.

- In the case of the certified Malawian producer, users may submit anonymous complaints to the company's anonymous reporting mechanism. In cases that are considered high-risk, the grievance information is only escalated to the company's Managing Director and HR to prevent any retaliation from other managers that may be implicated in the complaint. For the same reason, it is only the company's Managing Director and HR team that can open and access complaints raised through suggestion boxes.
- Grupo HAME allows users to raise anonymous complaints through its hotline that is operated by a third party service provider. Where anonymous complaints are raised in this way, the complainant is given a case number which allows them to follow up with the CH to understand what is happening with their case. This helps users keep track of their case, which can help reduce anxiety and frustration with the process. By giving this case number and allowing proactive follow-up, Grupo HAME also gives complainants a direct channel to alert the CH if retaliation does take place.
- Kakuzi has also developed a system that integrates safeguards and support to protect complainants from retaliation. These safeguards are integrated into the design of the independent mechanism described above, arising from the confidentiality of the mechanism and the separation of those managers involved in case management. Additionally, when cases related to GBVH are raised in employee villages, Kakuzi's health team provides counselling to affected individuals and leads awareness raising sessions for workers on the causes of GBVH and how to stop these issues arising.

### **Stock taking and review**

Survey findings suggest only 3% of Individual- and Multi-site-CHs have reviewed their existing grievance handling practices as part of their efforts to improve the effectiveness of these mechanisms. This is a small number given that there have been recent changes to the RA SAS and the importance of taking stock to identify areas for improvement. Across the CHs profiled in the case studies, some of the improvements made to their grievance mechanisms have been based on findings from a stock taking and review process.

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**Internal review process:** For the Brazilian coffee producer, the new RA SAS spurred the company to conduct a gap analysis of their practices against the new standard. This was a relatively straightforward review, conducted by company staff, and as a result the company identified gaps and areas for improvement for their grievance handling practice. The benefit of doing such a review in-house is that it can keep down costs, though it assumes the existence of internal capacity capable of leading this and developing appropriate recommendations.

**Hiring external support to lead review:** For other CHs, it has been important to hire external consultants to lead the review and help develop a new mechanism. Though a more expensive option, this has a number of benefits for a CH.

- Firstly, it doesn't require existing in-house expertise to lead the review, and through the process can actually help build staff capacity.
- Secondly, where a CH has several certification requirements to comply with, external support can be useful to help develop a process that meets varying standards. This was the case for Grupo HAME who identified the need to bring their grievance mechanism in line with several relevant certification standards that applied to them, along with international good practice.
- Finally, hiring an external expert to lead the engagement with relevant stakeholders and users as part of the review process can solicit more honest and open feedback which can strengthen the design of the mechanism. This was particularly useful for the design of mechanisms for Kakuzi and the Malawian producer as both had difficult relationships with some user groups due to legacy issues. Getting a third party to lead this type of process helps demonstrate to user groups that the company is taking the process seriously. It also ensures that independent recommendations reflecting these external views are considered in the design of the mechanism.

### **Aligning with trade unions on complaint handling processes**

Across the eight case studies, only Kakuzi engages with a trade union as part of its grievance handling process. As part of the collective bargaining agreement between Kakuzi and the Kenya Plantation & Agricultural Workers Union (KPAWU), workers may choose to raise concerns outside of the OGM with their shop stewards, who can escalate grievances to internal Kakuzi management as per the collective agreement. The union also supports union members in complaint cases. However, what became clear from this case is that ensuring that a grievance mechanism is compatible with existing trade union processes can be a challenge. In the case of Kakuzi, the union in question perceives the company's OGM as partially undermining existing processes for handling grievances established under the collective agreement. This emphasizes the importance of engaging with third parties, including trade unions and other worker representatives in the process of designing and implementing new grievance mechanisms to ensure that they are compatible with existing processes and agreements.

### **Establishing Grievance Committees**

As many CHs operate in countries and sectors with low rates of unionization engaging unions in a grievance process can be difficult. Where this is the situation, it is particularly important for CHs to ensure that stakeholders are represented in company grievance committees to bring their voices to the design and implementation of a grievance mechanism.

Three of the CHs included in the case studies have set up a grievance committee that include representatives of user groups to promote their voice in decision making. Calla Farms, the Malawian and Brazilian producers all have established grievance committees with elected worker representatives. The Brazilian and Malawian CHs have set up localised committees each with its own elected worker representatives. For workers on both, this is important as it means user groups feel more connected to those representatives and more comfortable raising complaints.

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Calla Farms and the Brazilian CH also understand the importance of having elected worker representatives that are broadly representative of the wider workforce and of ensuring that women are included as representatives. Calla Farms designed its committee to include two female and male representatives (to promote a gender lens in response to complaints), to ensure that at least two of these representatives are seasonal workers, and that one is also a migrant, as the company employs many seasonal workers from Venezuela.

For workers that act as representatives on a grievance committee, it's important for CHs to understand that this will take up time that workers would otherwise spend on their shifts. Whether this time is spent during their normal working hours, or outside of it, it's important that representatives are not discouraged from participating in the committee by potentially losing earnings. For the Malawian CH, whilst representatives are not directly compensated for their work on the committee, they do receive some indirect benefits, such as lunch or transport allowance.

## 4.4 Auditing Certificate Holder grievance mechanisms

Recent data from RA shows that, globally, the largest number of non-conformities overall with the 2020 RA SAS has been raised in relation to the grievance mechanism requirement. This highlights that issues are being identified by auditors, but also that there are a significant number of CHs with gaps in their current grievance processes, which is consistent with the findings of this research.

Although auditors are raising non-conformities related to grievance mechanisms, they also face some challenges in auditing grievance mechanisms and responding to the NCs related to grievance mechanisms, as explained below.

### 4.4.1 Challenges

#### **Correctly classifying grievance mechanism findings**

CBs may not always categorise grievance mechanism-issues as a non-conformity against the grievance mechanism requirements. For instance, if an issue around the involvement of worker representatives in grievance handling is identified, a CB may flag it as a NC related to another requirement on worker representation.

This could mean that some NCs on grievance mechanisms are mislabelled. Whilst this is not a problem if the issue is being identified, and corrective actions assigned, it may create a challenge in identifying wider trends and patterns regarding compliance with the grievance mechanism requirement.

#### **Auditing broader grievance mechanism effectiveness**

During an audit, a CB's priority is to identify potential indicators of non-compliance with the RA SAS, including with the standard's requirement on grievance mechanisms. This focus on indicators of compliance is necessary, though tends to provide a narrower view on what makes a mechanism good. Given that CB audits are time-constrained and also have to verify many other RA SAS requirements to audit, this is perhaps not surprising. However, this approach may not push CBs to look for effectiveness, but rather to focus on verifying whether a grievance mechanism is functional. Verifying mechanisms' broader effectiveness requires integrating a broader understanding of what effectiveness means into the auditing approach through using a wider range of indicators to assess CHs' grievance processes against.

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## 4.4.2 Overcoming these challenges – good practices

### **Auditors are identifying more non-conformities against grievance mechanism requirements**

As mentioned above, recent RA data on global non-conformities shows that the requirement with the greatest number of NCs in 2022 was in relation to grievance mechanisms. This marks a significant increase in grievance mechanism-related NCs from 2021, when numbers were considerably lower. This growth in NCs can potentially be explained by the increase in criteria in the grievance mechanism-requirement in the RA 2020 SAS compared to previous RA and UtZ standards.

Interestingly CB practice, as understood from surveyed-CBs and input from RA Standards & Assurance staff, hasn't actually changed that much, but because there are more compliance-points to assess, there are more opportunities for NCs. CBs verify compliance-points by checking whether basic grievance management practices are in place, and interview user groups to identify any red flags. Below are some examples of approaches taken by CBs when auditing grievance mechanisms.

- **Look for evidence that can be easily verified.** For example, the presence of complaints boxes in a worksite, a written grievance policy document, or the presence of worker representatives on a grievance committee. Given that CHs don't all seem to have these measures in place, this may go some way to explaining the high number of NCs.
- **Review grievance registers.** One CB mentioned that not finding any records of complaints in the past six months is a red flag. This is likely an indicator of the mechanism not being known, trusted or operational.
- **Interview users, primarily workers, to identify red flags.** This includes checking whether workers have been informed of the grievance mechanism by management, and for any evidence of union involvement in raising or investigating complaints. Other red flags are a lack of awareness among staff involved in grievance handling of the processes to be followed, whether management knows when the last grievance committee meeting took place, and whether the person in charge of the mechanism has many other (competing) responsibilities.

### **Ensuring that corrective actions lead to improvements**

As more non-conformities with the grievance mechanism requirement are identified, CBs have the opportunity to make recommendations that stimulate CHs to improve the mechanisms and achieve full compliance with the RA requirement on grievance mechanisms. It will be important to unpick why certain non-conformities occur and which actions lead to improvements. The actions in the Maturity Framework are a good place to start.

## 4.5 Level of effort and cost of improving grievance mechanisms

One of the aims of the case study research was to identify the level of effort and costs made by CHs to improve their grievance mechanisms. This information has proven difficult to obtain. The reason for this is twofold.

On the one hand, grievance mechanisms are part of a CH's overall management systems and processes. As such, the costs and efforts to improve grievance mechanisms are often hard to disentangle from other management activities. For example, a CH may attract additional staff for its Human Resources department to support on grievance handling, but these staff members may also be involved in other tasks, making it difficult to attribute costs to the specific activity of grievance handling. Likewise, awareness raising on the grievance mechanism is often not a separate activity but is integrated into workers' inductions or other more general meetings about sustainability issues, for example. As a result, most CHs are not able to quantify the costs of maintaining and improving their GM.

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On the other hand, most CHs are not willing or able to share information on specific operating costs, due to competitive sensitivity. While several CHs reported to have spent “significant resources” to improve their mechanism, specific figures were not provided, with the notable exception of Agroecom and SPAD N’Douci.

This means that while many CHs argue that the costs of compliance are too high, the lack of information about actual costs of implementation makes it difficult to analyse the business case, or to understand whether there is a need for additional supply chain contributions for effective grievance mechanisms.

It is important to note that improving the effectiveness of a grievance mechanism will always require some financial investment by the CH, even though the resources needed will inevitably vary. In addition to complying with certification standards, another clear benefit of a functioning grievance mechanism is that it serves as an early warning for issues before they escalate and grow out of hand. The costs of litigation and reputational damage can easily surpass that of a reasonably effective GM.

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# 5. Four-Stage Maturity framework

The section below provides a Maturity Framework that can be used by Certificate Holders to strengthen the effectiveness of their grievance mechanism. It sets out a pathway which can be the basis for tracking and making improvements to render a grievance mechanism effective in handling human rights complaints.

We identified Four Stages that reflect the actual learning pathways of the Certificate Holders surveyed. The steps are progressive and build upon each other.

| Stage                           | Description of characteristics   |
|---------------------------------|--|
| <b>Stage 1:<br/>Initiate</b>    | <p>At the start of this stage, CHs are not receiving many complaints and may be using basic or ad hoc procedures to respond. Responsibilities for handling complaints are unclear and have little support and involvement of senior management. User groups have limited channels to raise complaints and are often unaware of its existence.</p> <p>By the end of this Stage, the CH will have taken the foundational steps to set up an effective grievance mechanism.</p>   |
| <b>Stage 2:<br/>Embed</b>       | <p>At the start of this stage, the CH has a mechanism in place with a written policy, procedures and clearly defined roles and responsibilities. However, awareness of the mechanism is still limited among user groups, particularly the most vulnerable, and the mechanism is not fully understood or trusted by potential users. Those involved in handling complaints are likely to be CH staff, but they lack the capacity (skills and resources) to effectively receive, investigate, and remediate complaints. The CH may already be receiving an increased number of complaints.</p> <p>By the end of this stage, the CH has strengthened its capacity and has rolled out the grievance mechanism to reach a coverage that fits the size of its operations.</p>  |
| <b>Stage 3:<br/>Consolidate</b> | <p>At the start of this stage, the mechanism is receiving more complaints, staff are clearer about their roles, and most user groups know about the mechanism and feel comfortable to raise complaints. However, there is not a grievance committee that includes women or worker representatives, which has decision making power and capacity to remediate. Additionally, when complaints are anonymous CH has difficulty to investigate such grievances. Where remedy is provided, this is the result of unilateral or ad hoc decisions rather than meaningful engagement with affected rightsholders.</p> <p>By the end of this Stage, the functioning of the grievance mechanism is aligned with the core principles set out in the RA grievance mechanism requirement. The grievance mechanism is accessible, transparent, predictable and provides remedy. Records are kept for monitoring and verification purposes. If the number of grievances increases at this point, this is probably a sign that it is functioning adequately.</p> |
| <b>Stage 4:<br/>Lead</b>        | <p>At the start of this stage, the grievance mechanism is in line with the principles of the RA grievance mechanism requirement and capable of providing remedy to negative human rights impacts.</p> <p>In this stage the CH analyses data from grievance monitoring and reports back to management and workers/members. Trends are identified and proactive measures are taken to address root causes of certain types of grievances. The CH may issue a public report about grievances to share results and improvements with stakeholders or to elevate certain issues to other platforms (e.g. sector, landscape, policy makers/authorities). The number of grievances tends to decline as a result of preventative action and improved social dialogue.</p>  |

## 5.1 Maturity framework

The tables below set out the different steps that Certificate Holders can take to improve the effectiveness of their grievance mechanisms. These steps are set out across a 4-Stage Maturity framework. The Stages and associated effectiveness indicators are stepping stones to transition from a largely nominal to a truly functioning grievance mechanism.

Recognising that many grievance mechanisms are currently at an early stage of maturity in terms of effectiveness and acknowledging that many CHs are making efforts to bring their grievance mechanisms in line with the 2020 RA Standard requirements on grievance mechanisms, this framework also serves as a “reality check”. Grievance mechanisms in stage 1 do not comply with the grievance mechanism requirement. In stage 2 a certificate holder is on its way but can expect non-conformities during RA audits. A CH needs to broadly reflect stage 3 to be compliant with the RA grievance mechanism requirement. Criteria from the RA grievance mechanism requirement have been included **in bold** in the table below. The table also includes examples of actions that CHs can take to meet the UNGP indicators of effectiveness.

| Criteria           | Stage 1:<br><b>Initiate</b>  | Stage 2:<br><b>Embed</b>   | Stage 3:<br><b>Consolidate</b>  | Stage 4:<br><b>Lead</b>  |
|--------------------|--|--|---|--|
| <b>Accessible</b>  | There are options to raise grievances verbally, in writing, in person and remotely | User groups know how to raise a complaint<br><br>Staff do not deter complaints being raised<br><br>Third parties engaged to act as focal points  | <b>The mechanism is accessible in local languages</b><br><br>CH monitoring identifies grievances  | Additional efforts to make the mechanism accessible for vulnerable groups  |
| <b>Legitimate</b>  | Senior management publicly support the grievance mechanism                         | <b>Grievance committee is formed and includes at least one user representative and one management representative</b><br><br>Grievance committee members are adequately trained<br><br>There are sufficient staff numbers for handling grievances | <b>Grievance committee has decision-making power</b><br><br><b>Grievance committee includes women representatives</b><br><br>Senior-level commitment reinforced | An independent third party is involved in receiving and processing grievances<br><br>Grievance committee includes members from marginalised or vulnerable groups |
| <b>Predictable</b> | The grievance procedure has been documented and disseminated                       | <b>Steps and timelines in the grievance procedure are communicated to stakeholders when they submit a complaint</b>  | There are defined procedures for specific issues  |  |

| Criteria                                  | Stage 1:<br>Initiate   | Stage 2:<br>Embed  | Stage 3:<br>Consolidate  | Stage 4:<br>Lead   |
|---|--|--|--|--|
| <b>Equitable</b>                          | <p>Procedure allows for stakeholders to raise complaints confidentially</p> <p>The mechanism does not undermine existing trade union or community- based complaint processes</p> | <p>Anonymous complaints are accepted</p> <p>Complainants may be accompanied by representative</p>  | <p><b>Process in place for investigating and following up on anonymous complaints in an appropriate way</b></p> <p><b>Support provided to complainants throughout the complaint process</b></p>          |  |
| <b>Transparent</b>                        | <p>Users are aware of the complaint mechanism's process</p> <p>Users are provided updates on their case</p>  | <p>Agreed follow up actions are shared with the persons involved within a reasonable timeframe.</p>  | <p><b>CH is transparent in communicating responses to anonymous complaints</b></p>   | <p>CH publishes (aggregated and anonymized) information about the grievances received and resolved</p>   |
| <b>Rights-compatible</b>                  | <p>CH prohibits retaliation against complainants</p> <p>Mechanism users are informed of their rights</p>   | <p>Procedures are in place to prevent retaliation</p> <p>Appeals are permitted</p>   | <p><b>Human and labour rights grievances are remediated in collaboration with the Assess-and-address Committee and/or the Gender Committee/Person as appropriate, depending on the case</b></p>          | <p>Procedures are in place to provide remedy in cases that involve human rights violations</p>   |
| <b>Based on engagement &amp; dialogue</b> | <p>Mechanism designed with inputs from external stakeholders</p>   | <p>Complainants are involved in the decision/ outcome process</p>  | <p><b>External stakeholders are actively involved in grievance handling process</b></p> <p>The CH grievance mechanism is compatible with, and does not undermine, any existing trade union processes</p> | <p>Involve external stakeholders in mechanism design and process</p>   |
| <b>Source of continuous learning</b>      | <p>CH has undertaken review of existing practices</p> <p>The number of grievances and key topics are recorded</p>  | <p>All complaints and their outcomes are recorded</p>  | <p><b>Grievances and agreed follow up actions are documented</b></p> <p><b>Regular review and analysis of grievance records to identify trends and root causes</b></p>                                   | <p>Data on how the mechanism is functioning is published and open to feedback from stakeholders. Preventative measures are taken to address root causes.</p> |
| <b>Outcomes</b>                           | <p>CH has completed a Remediation Plan (Guidance S, Annex 5)</p>   | <p>Complaints submitted to the grievance mechanism that require remediation are handled in line with RA Remediation Protocol and other RA guidance</p> | <p>Remedy processes are carried out comprehensively and systematically</p>   | <p>Remedy and solutions developed in engagement with affected peoples'</p>   |

## 5.1.1 Stage 1: Initiate

### Stage 1 description:

At the start of this stage, CHs are not receiving many complaints and may be using basic or ad hoc procedures to respond. Responsibilities for handling complaints are unclear and have little support and involvement of senior management. User groups have limited channels to raise complaints and are often unaware of its existence.

By the end of this Stage, the CH will have taken the foundational steps to set up an effective grievance mechanism.

| Criteria           | Indicator  | Examples of actions Certificate Holders can take   |
|--------------------|--|--|
| <b>Accessible</b>  | There are options to raise grievances verbally, in writing, in person and remotely | <ul style="list-style-type: none"> <li>• In-person meetings with managers / HR / field representatives</li> <li>• In-person meetings with trusted user representatives</li> <li>• SMS messages</li> <li>• WhatsApp</li> <li>• Suggestion boxes</li> <li>• Letters to management / committees</li> <li>• Email</li> <li>• Online platforms</li> </ul>             |
| <b>Legitimate</b>  | Senior management publicly support the grievance mechanism                         | <p>Public statement from senior leadership on the importance of the grievance mechanism.</p> <hr/> <p>Senior leadership communications to all staff involved in grievance handling on the importance of gathering and recording complaints, and escalating through defined procedures</p>  |
| <b>Predictable</b> | The grievance procedure has been documented and disseminated                       | <p>Develop / update a written procedure to include an outline of the key steps in the grievance process.</p> <hr/> <p>Widely communicate the policy and procedure among user groups through appropriate channels and platforms. This should be done in a manner appropriate to each user group as this may vary across the diverse array of potential users.</p> |
| <b>Equitable</b>   | Procedure allows for stakeholders to raise complaints confidentially               | <p>There is a written commitment to maintaining the confidentiality of complainants, and information about a complaint is only shared beyond the grievance handling team with the express consent of the complainant</p> <hr/> <p>Staff involved in grievance handling are aware of the principle of confidentiality and how to ensure this</p>                  |

| Criteria                                  | Indicator   | Examples of actions Certificate Holders can take   |
|---|---|--|
| <b>Equitable</b><br>Cont...               | The mechanism does not undermine existing trade union complaint processes | Where trade unions have existing procedures, review any new grievance process to make sure it does not undermine what has already been negotiated and agreed. Engage with trade union representatives to understand how both processes can complement each other   |
|   | <b>Transparent</b>  | Users are aware of the complaint mechanism's process   |
|   | Users are provided updates on their case                                  | Make the grievance policy and procedures publicly available for user groups to review  |
| <b>Rights-compatible</b>                  | CH prohibits retaliation against complainants                             | Enable complainants to choose to leave their contact details when submitting a complaint so that grievance handling staff can communicate with them about their case   |
|   |   | Include a clear statement that complainants will not be retaliated against in the written grievance procedure.   |
|   |   | Include messaging about non-retaliation in awareness raising activities on the mechanism, for both staff and user groups.  |
|   | Mechanism users are informed of their rights                              | Map the key user groups of the mechanism, including vulnerable groups  |
|   |   | Raise awareness among key user groups and their representatives of their rights  |
| <b>Based on engagement &amp; dialogue</b> | Mechanism designed with inputs from external stakeholders                 | Stakeholders have been consulted on (re)design of the grievance mechanism. This can start with smaller, informal conversations. User groups potentially within scope for consultation may include workers (CH staff, workers, subcontracted workers, and workers of group members), communities, vulnerable groups such as women, and representatives of all those within scope. |
|   |   | External advisors / experts are hired to lead meaningful stakeholder engagement  |
| <b>Source of continuous learning</b>      | CH has undertaken review of existing practices                            | Conduct a gap analysis of the current grievance mechanism against the RA standard requirements and the improvement pathway framework   |
|   |   | Review can involve focus on: <ul style="list-style-type: none"> <li>• Number and type of complaints</li> <li>• Key issues raised</li> <li>• Key categories of complainants</li> <li>• Time taken to resolve</li> <li>• Types of resolution provided</li> </ul>   |

| Criteria        | Indicator   | Examples of actions Certificate Holders can take  |
|-----------------|---|---|
|                 | Numbers of grievances raised and key topics are recorded  | Raise awareness among grievance handling staff of the importance of recording grievances in writing, including grievances that are informally raised  |
| <b>Outcomes</b> | CH has completed a Remediation Plan (Guidance S, Annex 5) | <p>Assign personnel responsible for ensuring remedy</p> <hr/> <p>Begin to identify state-based or non-state based institutions and service providers in the community that can provide victim services in case of need</p> <hr/> <p>Train relevant management and staff of their roles and responsibilities should a remediation need arise</p> |

## 5.1.2 Stage 2: Embed

### Stage 2 description:

At the start of this stage, the CH has a mechanism in place with a written policy, procedures and clearly defined roles and responsibilities. However, awareness of the mechanism is still limited among user groups, particularly the most vulnerable, and the mechanism is not fully understood or trusted by potential users. Those involved in handling complaints are likely to be CH staff, but they lack the capacity (skills and resources) to effectively receive, investigate, and remediate complaints. The CH may already be receiving an increased number of complaints.

By the end of this stage, the CH has strengthened its capacity and has rolled out the grievance mechanism to reach a coverage that fits the size of its operations.

| Criteria          | Indicator  | Examples of actions Certificate Holders can take  |
|-------------------|--|---|
| <b>Accessible</b> | User groups aware of how to raise a complaint  | <p>Include information about the mechanism and how to use it in inductions / trainings / workshops with user groups.</p> <hr/> <p>Make awareness raising materials visual and easy to understand for people with various literacy levels. This can be done by including pictorial information on posters, flyers, online etc</p> <hr/> <p>Where scope of CH is over broad geographic area, awareness raising opportunities identified through local media – including newspapers, radio, television etc.</p> <hr/> <p>Awareness raising efforts are appropriate for identified vulnerable groups.</p> |
|                   | Staff do not deter complaints being raised<br>Third parties engaged to act as focal points                           | <p>Staff involved in receiving complaints are trained on being approachable and on how to engage positively with intended users. Engage with third parties such as trade unions or civil society groups so that they may act as focal point for raising concerns directly with the Certificate Holder.</p>  |
| <b>Legitimate</b> | <b>Grievance committee is formed and includes at least one user representative and one management representative</b> | <p>Include details of timelines in the grievance policy</p> <hr/> <p>Communicate scope, process for complaint handling, and potential remedies that can be provided. This should be clear in a written policy and procedure and should also be recomunicated when a complaint is raised.</p>  |
|                   | Grievance committee members are adequately trained   | <p>CH provides all new committee members with detailed induction on role and practices of grievance committee.</p> <hr/> <p>Grievance Committee members are trained on case resolution along the lines of the Remediation Protocol and introduce a system of checks to ensure case resolution does not violate any laws, rights or company regulations</p>  |

| Criteria              | Indicator   | Examples of actions Certificate Holders can take   |
|-----------------------|---|--|
| Legitimate<br>Cont... | Grievance committee members are adequately trained  | <p>Grievance committee members are paid for time spent working on the committee, and special exemptions provided from their regular job.</p> <p>Grievance committee members are trained on handling cases raised by women in gender sensitive manner</p>   |
|                       | There are sufficient staff numbers for handling grievances  | <p>For Groups and Farms with multiple sites, this may mean ensuring there are staff across regions where members are located.</p> <p>Ensuring there are staff with requisite experience / capacity to handle specific types of complaint. This can range from workplace, community, or gender-related challenges.</p>  |
| Predictable           | <b>Steps and timelines in the grievance procedure are communicated to stakeholders when they submit a complaint</b> | <p>For Groups and Farms with multiple sites, this may mean ensuring there are staff across regions where members are located.</p> <p>Ensuring there are staff with requisite experience / capacity to handle specific types of complaint. This can range from workplace, community, or gender-related challenges.</p>  |
|                       | Staff apply grievance mechanism standards consistently  | Enable complainants to choose to leave their contact details when submitting a complaint so that grievance handling staff can communicate with them about their case   |
| Equitable             | Anonymous complaints are accepted   | <p>Ensure that the grievance mechanism procedure allows for anonymous complaints to be raised, and there are specific procedures set up for investigating.</p> <p>There are options for potential complainants to raise anonymous grievances. Means of doing this can include:</p> <ul style="list-style-type: none"> <li>• Suggestion boxes in discrete locations that complainants can use.</li> <li>• Hotlines that allow anonymous calls to be received</li> <li>• Technology / apps that protect complainant information</li> <li>• Allowing user group representatives to raise the complaint on their behalf</li> </ul> |
|                       | Complainants may be accompanied by representative   | <p>Consult users of the mechanism on their needs for support from external stakeholders and adapt grievance procedures accordingly.</p> <p>Representatives or advisors can include trade union officials, civil society groups, lawyers etc.</p>   |
| Transparent           | Agreed follow up actions are shared with the persons involved within a reasonable timeframe.                        | <p>Ensure that complainants receive confirmation of receipt and information about the investigation process.</p> <p>The grievance process sets out when the CH should communicate with the complainant</p>   |
|                       |   | Minutes of grievance handling meetings are publicised externally, ensuring key information about the complainant is removed to protect their identities  |

| Criteria                                  | Indicator   | Examples of actions Certificate Holders can take   |
|---|---|--|
| <b>Transparent</b><br>Cont...             | Agreed follow up actions are shared with the persons involved within a reasonable timeframe.  | Minutes of grievance handling meetings are publicised externally, ensuring key information about the complainant is removed to protect their identities  |
|   |   | Complaints boxes are opened regularly by senior managers. CHs may choose to do this in the presence of mechanism users so they can see that issues are being looked at   |
| <b>Rights-compatible</b>                  | Procedures in place to prevent retaliation  | There is a protocol to prevent complainants being retaliated against and awareness of this is raised among grievance handling staff and (middle) management  |
|   |   | Confidentiality and anonymity options outlined above   |
|   |   | Providing a means for complainant to communicate directly with Committee / senior management if they have suffered retaliation.  |
|   |   | CH monitors the implementation of remedies provided to ensure complainants are not retaliated against  |
|   | Appeals are permitted   | There is an appeal process for complainants should they not be satisfied with the resolution of their grievance. This should not involve the same people that handled the original complaint   |
|   |   | Complainants are not prevented from trying to take case to national judicial or non-judicial mechanisms for resolution.  |
| <b>Based on engagement &amp; dialogue</b> | Complainants are involved in the decision/ outcome process  | Complainant views on the envisaged resolution are sought making decision on outcome. Be clear in communication with the complainant about the parameters of their feedback.  |
| <b>Source of continuous learning</b>      | All complaints and their outcomes are recorded  | Develop a template for recording all complaints raised through formal and informal grievance channels. This includes those that are raised verbally.   |
|   |   | Set up a central register for recording all issues in one place  |
|   |   | Build awareness among those involved in handling grievances of the importance of recording all grievances by including this in training activities   |
|   |   | For certified Groups, identify useful tools that those involved in grievance handling can use to capture grievances, and share this information with the individual in charge of handling grievances   |
| <b>Outcomes</b>                           | Complaints submitted to the grievance mechanism that require remediation are handled in line with RA Remediation Protocol and other RA guidance | <p>All corrections and corrective actions needed to remedy the situation are documented in the CH's Management Plan</p> <p>Corrections are closed within a 12 week period or within the timeframes outlined in RA Remediation Protocol</p> <p>Corrective actions requiring more than 12 weeks are closed within 52 weeks</p> |

### 5.1.3 Stage 3: Consolidate

#### Stage 3 description:

At the start of this stage, the mechanism is receiving more complaints, staff are clearer about their roles, and most user groups know about the mechanism and feel comfortable to raise complaints. However, there is not a grievance committee that includes women or worker representatives, which has decision making power and capacity to remediate. Additionally, when complaints are anonymous CH has difficulty to investigate such grievances. Where remedy is provided, this is the result of unilateral or ad hoc decisions rather than meaningful engagement with affected rightsholders.

By the end of this Stage, the functioning of the grievance mechanism is aligned with the core principles set out in the RA grievance mechanism requirement. The grievance mechanism is accessible, transparent, predictable and provides remedy. Records are kept for monitoring and verification purposes. If the number of grievances increases at this point, this is probably a sign that it is functioning adequately.

| Criteria           | Indicator   | Examples of actions Certificate Holders can take  |
|--------------------|---|---|
| <b>Accessible</b>  | The mechanism is accessible in local languages            | Where there are regional language differences across a CH's area of operation / different languages spoken on a site, ensure this is reflected in the language options available for accessing the grievance mechanism, and raise awareness in these languages too.<br><br>There are staff with responsibility for managing the grievance mechanism that speak the languages of the relevant stakeholders |
|                    | CH monitoring identifies grievances                       | There are monitoring activities which involve engaging with affected communities and monitoring affected stakeholders (e.g., newly recruited workers) to identify grievances.   |
| <b>Legitimate</b>  | <b>Grievance committee has decision-making power</b>      | Written terms of reference for grievance committee that clearly expresses their decision making powers<br><br>Grievance committee includes member from senior management team   |
|                    | <b>Grievance committee includes women representatives</b> | There is at least one female representative of stakeholder groups involved in grievance management / committee  |
|                    | Senior-level commitment reinforced                        | There is continuous dialogue with middle management responsible for helping implement the resolutions of the grievance mechanism  |
| <b>Predictable</b> | There are defined procedures for specific issues          | CH has reviewed current grievance procedures and identified any changes needed for handling different, potentially sensitive and complex complaints, such as grievances related to gender-based violence and harassment.  |

| Criteria                                  | Indicator  | Examples of actions Certificate Holders can take   |
|---|--|--|
| <b>Predictable</b><br>Cont...             | There are defined procedures for specific issues   | New procedures have been developed following engagement with key at risk groups, their representatives and /or experts.  |
|   |  | Communicate any significant changes to the mechanism to key user groups in appropriate formats.  |
| <b>Equitable</b>                          | <b>Process in place for investigating and following up on anonymous complaints in an appropriate way</b>   | There are agreed protocols for following up on anonymous complaints. For example, anonymous cases can receive a case number when they are submitted, and the resolution can be published using that case number.                                       |
|   |  | Those involved in handling anonymous grievances are trained on how to investigate appropriately.   |
|   |  | <b>Support provided to complainants through complaint process</b>  |
|   |  | Engage with users to understand and map any needs for assistance to overcome barriers to using the grievance mechanism   |
|   |  | Provide legal, technical, financial, and other assistance for stakeholders to navigate the grievance mechanism.  |
|   |  | Additional support in line with the above targets vulnerable groups so as to help address power imbalances   |
| <b>Transparent</b>                        | <b>CH is transparent in communicating responses to anonymous complaints</b>  | Any actions taken in response to anonymous complaints are published, ensuring that the complainant's anonymity is maintained.<br><br>This means the focus should be on actions taken to address a wider issue rather than on facts of a specific case. |
| <b>Rights-compatible</b>                  | <b>Human and labour rights grievances are remediated in collaboration with the Assess-and-address Committee and/or the Gender Committee/Person as appropriate, depending on the case</b> | Assess and Address Committee established   |
|   |  | Remediation process follows approach required for Assess and Address Committee   |
| <b>Based on engagement &amp; dialogue</b> | <b>External stakeholders are actively involved in grievance handling process</b>   | Collaborate / partner with third parties such as trade unions or civil society groups so that they may be involved in investigation and resolving complaints with the Certificate Holder.  |
|   |  | Collaborate / partner with third parties such as trade unions or civil society groups so that they may be involved in checking on whether agreed remedies have been provided   |
|   |  | Trade union processes are integrated into the CH grievance mechanism   |
|   |  | The mechanism has been designed in a way to complement any existing trade union complaint process  |

| Criteria                             | Indicator  | Examples of actions Certificate Holders can take   |
|--------------------------------------|--|--|
| <b>Source of continuous learning</b> | <b>Grievances and agreed follow up actions are documented</b>                                | Ensure grievance handling staff record both grievances and agreed follow up actions in an anonymised format in the central grievance register                          |
|                                      |  | Make a person responsible for implementation of actions / remedies at regular intervals  |
|                                      | <b>Regular review and analysis of grievance records to identify complaint-related trends</b> | Schedule regular reviews of grievance records and develop a system for analysing trends, e.g. by categorizing grievances by topic, stakeholder group, and/or location. |
|                                      |  | Relevant information is disseminated to those involved in complaint handling so they are aware of wider recurring issues and actions being taken to address.           |
| <b>Outcomes</b>                      | Remedy processes are carried out comprehensively and systematically                          | CH systematically follows the steps laid out in the management plan and documents all progress through to the conclusion of remedy, for all cases being remedied       |
|                                      |  | CH has gained experience in remediating more difficult cases that involve third parties, service providers, etc.   |

## 5.1.4 Stage 4: Lead

### Stage 4 description:

At the start of this stage, the grievance mechanism is in line with the principles of the RA grievance mechanism requirement and capable of providing remedy to negative human rights impacts.

In this stage the CH analyses data from grievance monitoring and reports back to management and workers/members. Trends are identified and proactive measures are taken to address root causes of certain types of grievances. The CH may issue a public report about grievances to share results and improvements with stakeholders or to elevate certain issues to other platforms (e.g. sector, landscape, policy makers/authorities). The number of grievances tends to decline as a result of preventative action and improved social dialogue.

| Criteria           | Indicator   | Examples of actions Certificate Holders can take   |
|--------------------|---|--|
| <b>Accessible</b>  | Focus on accessibility for vulnerable groups  | There are women involved in grievance receipt and handling to respond to cases raised by women   |
|                    |   | Tailor entry points to the needs of vulnerable groups, for example by enabling women to raise issues with a female grievance handler.                      |
| <b>Legitimate</b>  | <b>An independent third party is involved in the receiving and processing of grievances</b> | A clear Terms of Reference for third-party involvement in the grievance mechanism is developed.  |
|                    |   | The independent third party operates a mechanism outside of the company's control and reports findings to senior management with mandate to effect change. |
| <b>Legitimate</b>  | <b>Grievance committee includes members from more marginalised or vulnerable groups</b>     | The independent third party is appointed in consultation and with the agreement of key user groups   |
|                    |   | Information about the Grievance Committee and the possibility of participating in it are widely communicated to marginalised and vulnerable groups         |
|                    |   | CH Committee includes representatives of marginalised and vulnerable groups among the intended users   |
| <b>Predictable</b> | NA  | Committee members are elected by stakeholder user groups, including those most marginal and vulnerable   |
|                    |   | NA   |
| <b>Equitable</b>   | NA  | NA   |

| Criteria                                  | Indicator   | Examples of actions Certificate Holders can take  |
|---|---|---|
| <b>Transparent</b>                        | CH publishes information on the mechanism   | Publicly available write up of process followed and outcomes achieved in managing human rights complaint  |
|   |   | CH has defined means of communicating with different user groups depending on their needs and the most effective means of communicating with them.  |
|   |   | Publish data on the grievance mechanism, including number of cases raised, resolved, types of issues raised etc.  |
| <b>Rights-compatible</b>                  | Procedures are in place to provide remedy in cases that involve significant human rights concerns     | CH has identified national agencies and organisations that play a role in handling specific severe human rights issues – be it judicial or non-judicial mechanisms– and understand which type of cases can be referred to these.                    |
|   |   | CH provides additional and specialized support for user groups that have suffered serious violations, e.g., connecting victims of human trafficking to psychosocial support services and to legal assistance to pursue state-based judicial relief. |
|   |   | Identify routes through which complaints that are not in scope can be addressed, and assist complainants in accessing those – e.g. women’s organisations or the judicial system   |
| <b>Based on engagement &amp; dialogue</b> | Involve external stakeholders in mechanism design and process   | External stakeholders are engaged to solicit feedback on the mechanism and the processes  |
|   |   | External stakeholders that will be involved in the mechanism are trained about its procedures, key principle and good practice.   |
| <b>Source of continuous learning</b>      | Data on how the mechanism is functioning is published and opened up to feedback from key stakeholders | Engage and share learnings with wider group of stakeholders, including relevant public authorities, peer companies, NGOs  |
|   |   | Host workshops / meetings with key stakeholders to receive feedback on the mechanism’s process and design   |
| <b>Outcomes</b>                           | Affected stakeholders are meaningfully engaged in remedy  | CH engages meaningfully with affected stakeholders in determining the remedy, including the type of remedy and the way it should be delivered   |
|   |   | CH identifies solutions that are effective, adequate, culturally appropriate and gender sensitive   |
|   |   | User groups and their representatives are engaged to solicit feedback on the outcomes and to check that remedies have been effective  |

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# 6. Recommendations to RA

## 6.1 Support to Certificate Holders

Through the survey research, case studies, and non-conformities identified by CBs, it is clear that many CHs' grievance mechanisms are not yet in line with all the criteria of the 2020 RA SAS grievance mechanism requirement.

Additional support may be needed to help CHs make their mechanisms more effective and ultimately comply with the RA requirements. Such support could

- **Integrate good practices and Maturity Framework into existing training and guidance:** RA could integrate the Maturity Framework into its existing Guidance on the grievance mechanism requirement. The case studies, including their learnings, and the Maturity Framework could also be added to the other existing or future RA training materials on implementing effective grievance mechanisms.
- **Capacity building:** Some CHs benefitted from RA's direct support to develop their grievance mechanisms. Others noted it would be useful to have additional support, including requests to be provided with an example of a written complaint form to use for their suggestion boxes. Others requested generic materials to raise awareness about a mechanism among user groups. Support was also requested to build staff awareness and build capacity for effectively handling grievances. Such capacity building could target common areas of challenge identified in the survey, such as improving accessibility, building trust, investigating anonymous complaints, and maintaining confidentiality.

- **Building support across the supply chain:** RA could mobilise support from the supply chain – especially buyers – to support Certificate Holders to establish and improve their grievance mechanisms. Though the start-up costs for establishing a grievance mechanism can be prohibitive to CHs with small budgets, initial costs tend to taper off as the GM is embedded in regular activities and the main costs become part of their standard budgeting. Convincing buyers to understand and support this transition could help CHs make a start with strengthening their grievance mechanisms.
- **Engaging with CHs to enhance transparency about the costs of implementation and compliance:** CHs covered in the case studies were reluctant to share information on the level of effort and costs of improving their grievance mechanisms. In part this is due to challenges in capturing and tracking these costs separately from other operational costs. Operational costs have always been and will remain sensitive to disclosure. As a result, the costs of compliance with the RA standard will probably remain elusive. Notwithstanding, as a growing number of companies recognise the shared responsibility to address human rights risks in their supply chains, creative solutions are needed to create more transparency about the costs of implementing effective grievance mechanisms. Eventually, these costs have to be factored into the costs of production as much as seeds and fertilizers. Ultimately, the presence of effective grievance mechanisms will signal a human rights compatible business partner with a forward looking (preventative) mindset and hence reduced risks of litigation, reputational damage and other disruptions.

The survey has provided RA with a non-representative baseline on the implementation of the grievance mechanism requirement by CHs. Looking forward, and building on this initial survey, RA should:

- **Conduct a new survey in 2024 part of the next major RA SAS review.** This will allow RA to monitor and evaluate how CH's grievance mechanisms have evolved and identify any persistent or new challenges and issues. It will also help inform any potential changes that may be needed to the RA SAS grievance mechanism requirement itself.
- **Broaden the sample for the survey.** The sampling approach for our survey allowed us to select a representative number of respondents, but the responses received were not representative. When conducting a new survey, we recommend sending the survey to all CHs within the countries in scope, rather than applying a sampling methodology up front to reach a representative list of recipients.
- **Structure future survey questions according to the Maturity Framework set out in this report.** This will allow RA to more accurately 'plot' where CHs stand on the Maturity framework. As described above, based on our initial survey most of the respondents seem to fall within Steps 1 and 2. Hopefully with more CBs identifying gaps and providing recommendations, and additional investments and technical support being generated from supply chains to CHs we would expect an increasing number of CHs in Steps 3 and 4 by the time a next survey is carried out.
- **More free text responses in the survey:** The most useful responses received in this survey were those where the CH took time to describe their grievance handling processes in their own words. A multiple-choice response, if completed accurately, is easier for CHs to complete and simpler to collate data on trends. To get a clearer picture of what CHs are actually doing, however, free text responses proved more accurate and useful. Future surveys should include a few multiple choice – box ticking – responses and more free text responses.

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## 6.2 Ongoing monitoring of how grievance mechanisms are verified (audited)

The CB survey has given us some idea of how grievance mechanisms have been audited under the previous standard as well as emergent auditing practice under the 2020 RA SAS. Looking forward, RA should consider:

- **Conducting a follow-up survey in 2024:** This will allow RA to continue to record how CBs audit grievance mechanisms and understand common indicators of good practice or red flags associated with the implementation of grievance mechanisms, in parallel to another survey of CH practices.
- **Comparing non conformity data with CH survey results:** At the time of circulation of the CH survey in April 2022, available non-conformity (NC) data on the 2020 RA SAS on grievance mechanisms was still limited, precluding a comprehensive comparison between what CHs self-report as their biggest challenges in grievance mechanism implementation and what CBs identify as NCs. With greater availability of NC data on grievance mechanisms in the future, a comparative analysis can be made between responses to the new CH survey and available NC data.

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# 7. Annexes

## 7.1 Annex 1: Inception report

### 7.1.1 Overview of country context review

The initial phase of research provided a contextual overview of how people can raise complaints and receive remedy in each of the countries/crops included within the scope of this study, as well as some of the country-specific challenges in doing so.

This summarised some of the key human rights challenges faced in countries/crops within scope, based on publicly available information and non-compliance reports from RA Certificate Holders, based on previous UTZ/RA standard NC reports.

The countries and crops being included for this were selected on the basis that the survey in the next stage would be sent to RA Certificate Holders across a spread of geographic regions and key crops (taking into consideration volumes, numbers of workers, number of group members, and hectareage). The likely type of certificate held has also been taken into consideration so that survey recipients include both Farms and Groups.

| Countries in scope of initial research | Relevant crops             |
|--|----------------------------|
| Guatemala                              | Fruit                      |
| Colombia                               | Flowers                    |
| Costa Rica                             | Bananas                    |
| Brazil                                 | Coffee, fruit              |
| Indonesia                              | Tea, coffee, cocoa, spices |
| Vietnam                                | Coffee                     |
| Turkey                                 | Hazelnuts, tea             |
| Ghana                                  | Cocoa                      |
| Cote d'Ivoire                          | Cocoa                      |
| Malawi                                 | Tea, coffee                |
| Ethiopia                               | Coffee                     |

## 7.1.2 Summary of findings

The below points summarise the desk research captured in the 'Ergon - RA Grievance Research - Inception Report'.

- In all countries there are identifiable gaps between labour rights protections as set out in law, and the means available for workers to access a remedy pursuant to those rights. This makes it unlikely that independent or private grievance mechanisms would interfere with or duplicate existing, effective grievance resolution channels.
- Judicial routes generally available across countries in scope dealing with case types ranging from forced labour to unfair dismissal – but court procedures are often found to be lengthy and subject to delays. In some cases, labour courts are also found to be ineffective in fining or punishing employers.
- Almost all countries have an Ombudsman/NHRI institution – but generally these do not have the scope or capacity to address grievances on an individual basis.
- No legal requirements for employers to set up workplace-level GMs. Where these types of mechanisms exist (bipartite committees in Indonesia), they may be less prevalent in the agricultural sector.
- Low rates of unionisation, as well as challenges to effective functioning of unions and anti-union discrimination in a number of countries, limit the avenues available to workers to voice concerns.

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- Some evidence of government institutions (primarily in Latin America) setting up hotlines or web portals to receive labour complaints – however these are not always accessible to workers.
  - NCs found by RA certification bodies in many cases did confirm what was understood to be the main risks from country context. In particular, discrimination is a reported risk for most countries but has limited coverage in NCs. Key identified risks for almost all countries include child labour and OHS. Unpaid wages, forced labour (recruitment fees, non-payment, indebtedness) were also not identified. Given the prevalence of these issues in the sectors in question and the scale of RA and/or UTZ certification in these sectors, we would have anticipated more NCs to be detected on these areas.
  - Limited NCs related to GMs – and available NCs tell us little about the types of GMs (either a suggestions box or a ‘grievance handling procedure’ without much detail). This suggests a heavily systems-bound approach to appraising OGMs by certification bodies (CBs). Non-conformities tend to reflect procedural deficiencies – i.e., not informing workers of their right to use external grievance systems.
  - Costa Rica is a key exception regarding the quality of auditing of grievance mechanisms. Here, OGMs were found not to address concerns of discrimination effectively, suggesting there was an attempt by the CB to understand the quality of grievance resolution at the CH. Results and commentary from CBs in relation to Ethiopia and Malawi were also observed to be of higher quality.

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## 7.2 Annex 2: Survey questions

*This Annex includes the survey that was sent to all CHs. Certified Groups and certified Farms received slightly different questions to reflect the differences in their businesses.*

### **Rainforest Alliance – Grievance Mechanism Baseline Survey**

#### **Survey background**

The Rainforest Alliance is inviting you to share your experiences in receiving and responding to grievances that are raised through your grievance mechanism(s). This survey is being conducted by Ergon Associates, an independent consultancy that specialises in supporting companies to improve their performance on social and labour issues.

#### **What is a grievance and what do we mean by a grievance mechanism?**

A grievance broadly refers to an allegation, issue, or problem that a person (or group) has raised in relation to their treatment or experience, whether perceived or actual. Grievances may also be referred to as 'complaints', 'concerns' or 'feedback'. A grievance mechanism – sometimes also referred to as a complaints mechanism or procedure – is a procedure through which a grievance can be raised, assessed, investigated and responded to.

#### **Objective of this survey**

This survey is being conducted to support Rainforest Alliance, and Rainforest Alliance's Certificate Holders, improve how they receive and respond to grievances raised through their grievance mechanisms. The objective of the survey is to understand how certificate Holders currently manage complaints and to understand what the challenges and needs are in doing this effectively. Another objective is to identify examples of existing good practices in managing complaints. We hope that a follow up interview may take place between Ergon and Certificate Holders who have good practices to share. The aim of the follow-up will be to understand how challenges associated with managing grievances have been overcome and to share lessons which may help other Certificate Holders in their management of grievances. In consultation with the Certificate Holders involved, good practice examples may also be shared via Rainforest Alliance's external communication channels.

#### **What happens with the information I provide through this survey?**

It's important to note that this is not a compliance assessment of Certificate Holder performance. Ergon will conduct an analysis of the results and present an aggregated overview of the findings to Rainforest Alliance. No data on answers provided by Individual-CHs will be shared with Rainforest Alliance. The information you provide through this survey will not in any way affect your certification status.

#### **About filling in this survey**

We suggest the survey is filled in by the person within your company that is responsible for the grievance mechanism or is working at the grievance mechanism. The survey should take no longer than 30 minutes to complete. Please note that you can go back and change/add to your answers at any point prior to submitting the survey.

We thank you in advance for your participation in this important survey!

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**(page title) Certificate Holder Information – General**

1. Which country are you located in?
  - a. Brazil
  - b. Colombia
  - c. Costa Rica
  - d. Cote d'Ivoire
  - e. Ethiopia
  - f. Ghana
  - g. Guatemala
  - h. Indonesia
  - i. Malawi
  - j. Turkey
  - k. Vietnam
  - l. Kenya
  - m. Rwanda
  
2. What RA-certified crop(s) do you produce?
  - a. Bananas
  - b. Cocoa
  - c. Coffee
  - d. Flowers
  - e. Tea
  - f. Hazelnuts
  - g. Oranges
  - h. Other (please specify)
  
3. What type of Rainforest Alliance Certificate do you hold?
  - a. Group certification
  - b. Individual certification
  - c. Multi-farm certification

Please provide any additional relevant information

**(page title) Certificate Holder Information – Groups**

4. How was the group established?
  - a. Farmer self-organized or cooperative
  - b. Established by a trader or multinational company
  
5. How many member-farms are included in the group?
  
6. How do certified members manage labour at their farms  
(check all those that apply; multiple answers possible)
  - a. Work is carried out by the farmer and their family and/or there is a community labour-sharing arrangement
  - b. One or more group members hire FEWER than 5 workers on average across the growing season
  - c. One or more group members hire MORE than 5 workers on average across the growing season

Please provide any relevant additional information here.

- 
7. In total, approximately how many workers are engaged at the farms of group members?  
If you don't know, please leave the slider at 0 and continue to the next question.
  8. What percentage (approximately) of the workforce at group members is female?  
If you don't know, please leave the slider at 0 and continue to the next question.
  9. What percentage (approximately) of the workforce at group members is from another region / country? If you don't know, please leave the slider at 0 and continue to the next question.
  10. If you were unable to answer questions 7, 8 and/or 9 please indicate the reason why below.  
If this does not apply, please leave blank.
  11. Would you be interested in participating in a follow-up interview to share more details about how you manage grievances, its challenges and benefits, if an interest in this is expressed by Ergon?  
If so, please provide the name and contact details of the person to be contacted at the certificate holder. Please note that your responses to this survey remain confidential and will not be shared on an individual or named basis with Rainforest Alliance.  
  
If not, please leave blank.

**(page title) Certificate Holder Information – Individual and multi-site Certificate Holders**

12. How many workers (permanent, temporary and subcontracted) do you engage (approximately)?  
If you don't know, please leave the slider at 0 and continue to the next question.
13. What percentage (approximately) of the workforce is female? If you don't know, please leave the slider at 0 and continue to the next question.
14. What percentage (approximately) of your workforce is from another region / country?  
If you don't know, please leave the slider at 0 and continue to the next question.
15. If you were unable to answer questions 12, 13 and/or 14 please indicate the reason why below.  
If this does not apply, please leave blank.
16. Would you be interested in participating in a follow-up interview to share more details about how you manage grievances, its challenges and benefits, if an interest in this is expressed by Ergon?  
  
If so, please provide the name and contact details of the person to be contacted at the certificate holder. Please note that your responses to this survey remain confidential and will not be shared on an individual or named basis with Rainforest Alliance.  
  
If not, please leave blank.

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**(page title) Background to Grievance Mechanism – Groups**

17. In your opinion, which purposes of grievance handling are most or least important to the group and its membership?

Select the answers that apply and rank these in order of priority.

If, in your opinion, an answer option does not apply, please select N/A.

To reiterate: A grievance broadly refers to an allegation, issue, or problem that a person (or group) has raised in relation to their treatment or experience, whether perceived or actual. Grievances may also be referred to as ‘complaints’, ‘concerns’ or ‘feedback’.

- a. Promoting worker satisfaction N/A
- b. Creating an atmosphere of trust between members and group management N/A
- c. Improving ability to receive feedback from workers N/A
- d. Improving ability to receive feedback from group members N/A
- e. Identifying non-compliance issues for internal inspections N/A
- f. Identifying non-compliance issues with certification requirements N/A
- g. Identifying capacity gaps and training needs N/A
- h. Meeting customer requirements N/A
- i. Improving policies and systems N/A

18. Please name the grievance mechanism(s) currently in use for group members, workers and/or other stakeholders, by the title / name such mechanisms are known in your company/group. In case you have more than one grievance mechanism, please name the most important ones and for whom they are intended.

- a. Grievance mechanism 1
- b. Grievance mechanism 2
- c. Grievance mechanism 3
- d. Grievance mechanism 4

19. How many years of experience does your organization have with operating a grievance mechanism(s)?

- a. Less than 1 year / no experience
- b. 1 – 3 years
- c. 3 – 5 years
- d. 5 – 10 years
- e. More than 10 years

Please add any additional relevant information.

20. We are interested to know who is involved in your grievance mechanism and in which capacity. Please select those boxes that apply to your situation.

1. Involved in setting up and designing the grievance mechanism
  2. Has overall responsibility for handling grievances
  3. Involved in grievance investigation
  4. Has decision-making power on grievance outcomes / remedial measures
- a) Farm managers
  - b) Senior Management (where different)
  - c) Group members
  - d) Supervisors
  - e) Workers hired by members
  - f) Grievance Committee
  - g) Gender Committee
  - h) Assess-and-Address Committee

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21. Continued from previous question: We are interested to know who is involved in your grievance mechanism and in which capacity. Please select those boxes that apply to your situation.

1. Involved in setting up and designing the grievance mechanism
2. Has overall responsibility for handling grievances
3. Involved in grievance investigation
4. Has decision-making power on grievance outcomes / remedial measures
  - a) Trade unions
  - b) Government agencies
  - c) NGOs, civil society, social workers
  - d) Rainforest Alliance (or other Certification organization)
  - e) Customers (brands, traders and other buyers)
  - f) Other (please specify)

22. How many people in total are typically responsible for the overall handling of grievances? This includes receiving complaints, investigating grievances, and remediation.

23. What percentage of these are female?

24. Please describe any steps that have been taken to set up or improve the group's grievance mechanism(s) in the past two years.

25. Which other mechanisms (other than the grievance mechanism) can workers hired by members, members, and stakeholders use to raise complaints with regard to operations of the group? (for example, mechanisms operated by the State, trade unions, worker organizations, other companies etc.)

Please name the mechanisms below. Answer "don't know" if applicable.

### **(page title) Background to Grievance Mechanism – Individual and Multi-site Certificate Holders**

26. What purposes does grievance handling serve to your business, in your opinion?

Select the answers that apply and rank those in order of priority.

If, in your opinion, an answer option does not apply, please select N/A.

To reiterate: A grievance broadly refers to an allegation, issue, or problem that a person (or group) has raised in relation to their treatment or experience, whether perceived or actual. Grievances may also be referred to as 'complaints', 'concerns' or 'feedback'.

- a) Promoting worker satisfaction N/A
- b) Creating an atmosphere of trust between workers and management N/A
- c) Improving ability to receive feedback from workers N/A
- d) Identifying issues of non-compliance with certification standards (including RA) N/A
- e) Identifying capacity gaps and training needs N/A
- f) Meeting customer requirements N/A
- g) Improving policies and systems N/A

27. Please name the grievance mechanism(s) currently in use for workers and/or other stakeholders, by the title / name such mechanisms are known in your company. In case you have more than one grievance mechanism, please name the most important ones and for whom they are intended.

- a) Grievance mechanism 1
- b) Grievance mechanism 2
- c) Grievance mechanism 3
- d) Grievance mechanism 4

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28. How many years of experience does your organization have with operating a grievance mechanism(s)?

- a) Less than 1 year / no experience
- b) 1 - 3 years
- c) 3 - 5 years
- d) 5 - 10 year
- e) More than 10 years

Please add any additional relevant information.

29. We are interested to know who is involved in your grievance mechanism and in which capacity. Please select those boxes that apply to your situation.

- 1. Involved in setting up and designing the grievance mechanism
  - 2. Has overall responsibility for handling grievances
  - 3. Involved in grievance investigation
  - 4. Has decision-making power on grievance outcomes / remedial measures
- a) Farm managers
  - b) Senior Management (where different)
  - c) Supervisors
  - d) Workers (representatives)
  - e) Grievance Committee
  - f) Gender Committee
  - g) Assess-and-Address Committee

30. Continued from previous question: We are interested to know who is involved in your grievance mechanism and in which capacity. Please select those boxes that apply to your situation.

- 1. Involved in setting up and designing the grievance mechanism
  - 2. Has overall responsibility for handling grievances
  - 3. Involved in grievance investigation
  - 4. Has decision-making power on grievance outcomes / remedial measures
- a) Trade unions
  - b) Government agencies
  - c) NGOs, civil society, social workers
  - d) Rainforest Alliance (or other Certification organization)
  - e) Customers (brands, traders and other buyers)
  - f) Other (please specify)

31. How many people in total are typically responsible for the overall handling of grievances? This includes receiving complaints, investigating grievances, and remediation.

32. What percentage of these are female?

33. Please describe any steps that have been taken to set up or improve the company's grievance mechanism(s) in the past two years.

34. Which other mechanisms (other than the company grievance mechanism) can your workers and stakeholders use to raise complaints with regard to operations of the farm (for example, mechanisms operated by the State, trade unions, worker organizations, other companies etc.)?

Please name the mechanisms below. Answer "don't know" if applicable.

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**(page title) Grievance handling procedures – Groups**

35. Who is allowed to raise a grievance with the group management?

Select all that apply.

- a) Permanent workers hired by members
- b) Workers' family members
- c) Temporary / Seasonal workers hired by members
- d) Local community members
- e) Casual workers / Day labourers hired by members
- f) Trade unions
- g) Group members
- h) NGOs, civil society, social workers
- i) Group staff
- j) Other (please specify)

36. How can people raise a complaint via the grievance mechanism?

Select all that apply.

- a) Report to a group member
- b) Report to the group manager
- c) Report at member meetings / assemblies
- d) Call a hotline
- e) Via social media / tech apps
- f) Email
- g) Complaints / suggestions boxes
- h) Other (please specify)

37. Can people submit complaints anonymously?

- a) Yes
- b) No

Comment field

38. What steps are taken by management or the responsible committee when assessing a complaint?

Select all that apply.

- a) Acknowledge receipt of the complaint
- b) Review the complaint to check admissibility
- c) Investigate what happened
- d) Communicate investigation findings to the complainant
- e) Agree a remediation plan with the complainant
- f) Implement and monitor the agreed remediation measures
- g) Keep records for monitoring and reporting purposes
- h) Safeguard complainants against retaliation
- i) Refer serious grievances to instances or authorities outside of the organization
- j) Other (please specify)

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**(page title) Grievance handling procedures - Individual and Multi-site Certificate Holders**

39. Who is allowed to raise a grievance with the farm?

- a) Permanent workers
- b) Temporary / Seasonal workers
- c) Casual workers / Day labourers
- d) Workers' family members (resident in company-provided housing)
- e) Subcontracted workers
- f) Workers' family members (non-resident)
- g) Local community members
- h) Trade unions
- i) NGOs, civil society, social workers
- j) Other (please specify)

40. How can people raise a complaint?

- a) Report to the direct supervisor
- b) Management has an 'open door' policy (i.e., management indicates they are open to hear workplace concerns and other complaints from every worker)
- c) Complaints / suggestions boxes
- d) Call a hotline
- e) Via social media / tech apps
- f) Email
- g) Other (please specify)

41. Can people submit complaints anonymously?

- a) Yes
- b) No

Comment field

42. What steps are taken by management or the responsible committee when assessing a complaint?  
Select all that apply.

- a) Acknowledge receipt of the complaint
- b) Review the complaint to check admissibility
- c) Investigate what happened
- d) Communicate findings to the complainant
- e) Agree on a remediation plan with the complainant
- f) Implement and monitor the remediation plan
- g) Keep records for monitoring and reporting purposes
- h) Safeguard complainants against retaliation
- i) Refer serious grievances to instances or authorities outside of the organization
- j) Other (please specify)

**Grievance mechanism outcomes - Groups**

43. How many grievances did the group receive via the grievance mechanism in 2021?

- a) I don't know
- b) 2021 (last year)

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44. In general, is this number an increase or a decrease compared to previous years?

- a) An increase
- b) A decrease
- c) No change
- d) I don't know

In your opinion, what was the reason behind the increase or decrease?

45. Which of the issues listed below - that relate to issues experienced by workers - have been raised via your grievance mechanism(s)? Select all that apply.

- a) Health and safety matters (PPE, machine safety etc)
- b) Discrimination (e.g. on the grounds of gender, ethnicity, affiliation to labour union, etc)
- c) Sexual harassment / gender-based violence / domestic violence concerns
- d) Issues with housing and living facilities
- e) Issues related to transport
- f) Issues with food / water
- g) Issues with child labour / child welfare
- h) Issues related to working hours or working schedules
- i) Issues with security
- j) Issues with treatment / harassment by management
- k) Other (please specify)

46. Continued from previous question: Which of the issues below - related to issues regarding commercial relationships - have been raised via your grievance mechanism(s)? Select all that apply.

- a) Internal inspections
- b) Issues related to prices or premium payments
- c) Appeals related to non-conformity findings from audits / certification decisions
- d) Not being granted credit or inputs / services (fertilizers, pesticides)
- e) Calibration of scales
- f) Unfair or exploitative labour practices undertaken by another group member
- g) Land and property disputes
- h) Not being included in projects
- i) Other (please specify)

47. Are you aware of any issues or complaints in your certified group that are currently not being raised via the grievance mechanism?

- a) Yes
- b) No

If yes, please specify.

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48. What are the main challenges the certified group experiences in handling and resolving complaints effectively?

- a) No challenges
- b) Building trust with users in the handling and solving of their complaints
- c) There are no complaints being submitted to the mechanism
- d) Responsible staff lack awareness of the issues and the grievance procedure
- e) People prefer to use other traditional / customary complaints channels
- f) Ensuring complaints are recorded and tracked
- g) Improving accessibility of the mechanism to stakeholders
- h) Maintaining the confidentiality of the complainant other than members
- i) Investigating anonymous complaints
- j) Building awareness of the mechanism with stakeholders other than members
- k) Coordinating with outside parties (e.g. child protection services, public authorities)
- l) Workers hired by members don't speak the language / are illiterate
- m) It is costly to operate
- n) Other (please specify)

49. Are you familiar with or have you ever used the Rainforest Alliance remediation protocol?

- a) Yes
- b) No

Comment field

50. Do you think that your grievance mechanism(s) are capturing the main issues and concerns of workers hired by group members and group members themselves?

- a) Yes
- b) No

Please explain why / why not

51. Are you planning to do any of the following in the next 12 months to improve the way you manage grievances?

- a) Designate additional financial resources  
(if selected, please describe what it would be used for in the 'other' field)
- b) Allocate additional staff capacity
- c) Seek external technical support and training from specialists
- d) Participate in or request coaching and training from Rainforest Alliance
- e) Training for those involved in handling grievances
- f) Training / awareness raising for workers hired by members on how to raise complaints
- g) Other (please specify)

52. What, in your opinion, would be needed to make your grievance mechanism(s) more effective?

- a) Coaching and training from Rainforest Alliance
- b) Designate additional capacity
- c) Designate additional financial resources  
(if selected, please describe what it would be used for in the 'other field')
- d) Training for workers on how to raise complaints
- e) Training for those involved in handling grievances
- f) External technical support and training from specialists
- g) Other (please specify)

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**(page title) Grievance mechanism outcomes - Individual and Multi-Site Certificate Holders**

53. How many grievances did the company receive via the grievance mechanism(s) in 2021?

- a) I don't know
- b) 2021 (last year)

54. In general, is this number an increase or a decrease compared to previous years?

- a) An increase
- b) A decrease
- c) No change
- d) I don't know

In your opinion, what was the reason behind the increase or decrease?

55. Which of the issues listed below has been raised through your company grievance mechanism(s)?  
Select all that apply.

- a) Health and safety matters (PPE, machine safety etc)
- b) Discrimination (e.g. on the grounds of gender, ethnicity, affiliation to a labour union, etc.)
- c) Sexual harassment / gender-based violence
- d) Issues with housing and living facilities
- e) Issues related to transport
- f) Issues with food / water
- g) Issues related to wages
- h) Issues related to working hours or working schedules
- i) Issues with recreation facilities
- j) Issues with treatment / harassment by supervisors / management
- k) Issues with security
- l) Issues with child labour / child welfare
- m) Other (please specify)

56. Are you aware of any issues or complaints at your company that are currently not being raised via the grievance mechanism(s)?

- a) Yes
- b) No

If yes, please specify.

57. What are the main challenges the company experiences in handling and resolving complaints effectively?

- a) No challenges
- b) Responsible staff lack awareness of the issues and the grievance procedure
- c) There are no complaints being submitted to the mechanism
- d) Ensuring complaints are recorded and tracked
- e) People prefer to use other traditional / customary complaints channels
- f) Maintaining the confidentiality of the complainant
- g) Investigating anonymous complaints
- h) Workers don't speak the language / are illiterate
- i) Coordinating with outside parties (e.g. child protection, public authorities)
- j) It is costly to operate services
- k) Building trust with users in the handling and solving of their complaints
- l) Other (please specify)

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58. Are you familiar with or have you ever used the Rainforest Alliance remediation protocol?

- a) Yes
- b) No

If yes, please describe your experience.

59. Do you think that the company's grievance mechanism(s) are capturing the main issues and concerns of workers?

- a) Yes
- b) No

Please explain why / why not

60. Are you planning to do any of the following in the next 12 months to improve the way you manage grievances?

- a) Designate additional financial resources  
(if selected, please describe what it would be used for in the 'other' field)
- b) Participate in or request coaching and training from Rainforest Alliance
- c) Training for those involved in handling grievances
- d) Allocate additional staff capacity
- e) Training / awareness raising for workers on how to raise
- f) Seek external technical support and training from complaints specialists
- g) Other (please specify)

61. What, in your opinion, would be needed to make your grievance mechanism more effective?

- a) Designate additional financial resources  
(if selected, please describe what it would be used for in the 'other' field)
- b) Participate in or request coaching and training from Rainforest Alliance
- c) Training for those involved in handling grievances
- d) Allocate additional staff capacity
- e) Training / awareness raising for workers on how to raise
- f) Seek external technical support and training from complaints specialists
- g) Other (please specify)

### **(page title) Feedback**

62. Do you have any other comments, feedback or concerns?

63. Would you be interested to receive a summary of the findings and insights of this research and learn how Rainforest Alliance intends to follow up on the research findings? If so, please provide your email address below. Please note that your responses to this survey remain confidential and will not be shared on an individual or named basis with Rainforest Alliance. If you do not wish to receive the research results, please leave blank.

**End**

Thank you very much for completing this survey.  
We very much appreciate your valuable input to this research.

## 7.3 Annex 3: Survey findings

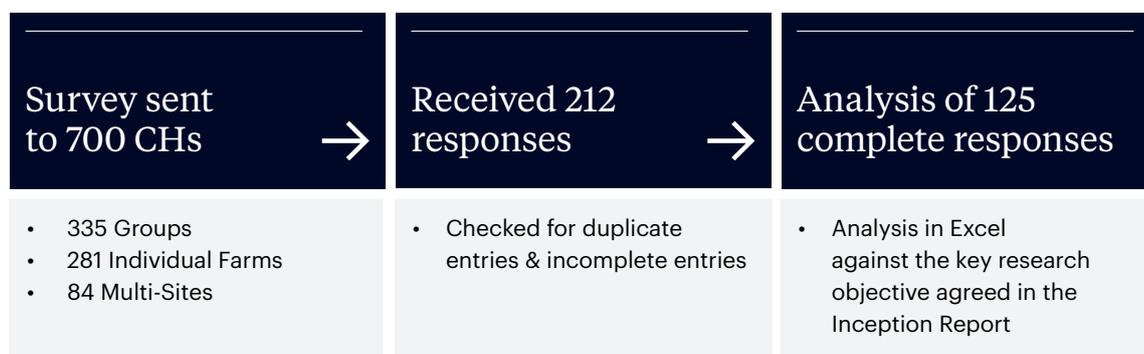
This Annex provides the summary findings from the surveys. For more detailed findings, please refer to the PowerPoint document and Presentation delivered to RA once the survey was complete.

### 7.3.1 Overview

Following the initial country research, we devised a survey to send to CHs, asking questions that had the following objectives:

1. To diagnose the current level of implementation of RA Farm Standard 2020 provisions on OGMs and to understand as far as possible the degree of implementation of OGMs
2. To identify early indications of better practice with a view to selecting stand-out CHs to focus on for the purpose of developing case studies.

See the below for an overview of the surveys sent out and received.



## 7.3.2 Respondent profile

Below provides more detail on the profile of survey respondents.

| Country /<br>type of CH | Sent<br>survey to:   | Responses<br>received: | Sent<br>survey to: | Responses<br>received: | Sent<br>survey to: | Responses<br>received: |
|-------------------------|----------------------|------------------------|--------------------|------------------------|--------------------|------------------------|
|                         | Farm /<br>Multi-site | Farm /<br>Multi-site   | Group              | Group                  | Total              | Total                  |
| Brazil                  | 116                  | 14                     | 5                  | 1                      | 121                | 15                     |
| Colombia                | 79                   | 17                     | 58                 | 15                     | 137                | 32                     |
| Costa Rica              | 35                   | 2                      | 7                  | 0                      | 42                 | 2                      |
| Cote d'Ivoire           | 7                    | 1                      | 80                 | 7                      | 87                 | 8                      |
| Ethiopia                | 15                   | 2                      | 17                 | 3                      | 32                 | 5                      |
| Ghana                   | 0                    | 0                      | 13                 | 0                      | 13                 | 0                      |
| Guatemala               | 59                   | 12                     | 34                 | 2                      | 93                 | 14                     |
| Indonesia               | 15                   | 0                      | 20                 | 3                      | 35                 | 3                      |
| Kenya                   | 19                   | 7                      | 81                 | 17                     | 100                | 24                     |
| Malawi                  | 5                    | 2                      | 3                  | 3                      | 8                  | 5                      |
| Turkey                  | 0                    | 0                      | 20                 | 3                      | 20                 | 3                      |
| Vietnam                 | 1                    | 2                      | 21                 | 11                     | 22                 | 13                     |
| <b>Total</b>            | <b>351</b>           | <b>59</b>              | <b>359</b>         | <b>65</b>              | <b>710</b>         | <b>124</b>             |

## 7.3.3 Types of complaint

### Low numbers of grievances are reported and/or recorded

A third of all CHs surveyed stated that they had received no grievances in the last year, and 45% claimed to receive ten or fewer. This is surprising as many of these CHs employ thousands of workers. Low numbers of grievances can be the result of no issues existing though it is more likely that it is the result of complainants not wanting to raise concerns to management and/or management not systematically recording grievance raised (i.e. issues being raised and dealt with informally and not being formally captured). One or both of these make sense especially given the pervasiveness of negative impacts across countries and sectors as identified in the initial contextual research. Both would be reasons for grievance mechanisms lacking effectiveness, and are a red flag suggesting gaps in the effectiveness of the mechanisms.

Conversely, a majority of CH respondents stated that their grievance mechanisms are effective in resolving complaints. The main reasons given for this perceived effectiveness of grievance mechanisms include accessibility, a focus on human rights, and compliance with the RA standard. Whilst these are all potential indicators of effectiveness, we would also expect to see CHs demonstrating data showing greater number of cases, data on open and closed cases, clarity on time taken to resolve cases, a clearer role for committees and representatives in the development and implementation of the mechanisms, amongst others, in line with the UNGP effectiveness criteria. That the majority of CHs think their grievance

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mechanism is effective illustrates a contradiction as typically effective grievance mechanisms would record a higher number of complaints and demonstrate more indicators of effectiveness. Amongst others, in line with the UNGP effectiveness criteria. That the majority of CHs think their grievance mechanism is effective illustrates a contradiction as typically effective grievance mechanisms would record a higher number of complaints and demonstrate more indicators of effectiveness.

We also asked CBs a set of questions about CH grievance mechanisms, including the main challenges that CHs face in operating a grievance mechanism. In response, CBs flagged the following reasons - workers may not trust grievance mechanisms, fear / lack of confidentiality, fearing punishment or termination, not knowing or being clear about procedures or not even knowing about the existence of the mechanism.

#### **Certificate Holders appear to have challenges in receiving complaints**

The majority of respondents reinforce the challenge of receiving grievances as suggested by the data they provide. They state that this is their primary challenge in operating a grievance mechanism (i.e. finding it difficult to build trust, receiving a lack of complaints, etc). Responses from a quarter of certified-Groups also suggest that they face challenges in providing accessible options for mechanism users and that these users also lack awareness of the mechanisms.. Nonetheless, 6% of all surveyed CHs indicated an absence of challenges.

The findings highlighting challenges for CHs in receiving complaints also came out of the CB Survey. In this, CBs suggested that key challenges for CHs include a lack of responsible staff that are aware of the issues and grievance procedures, poor recording and monitoring complaints, challenges in investigating anonymous complaints, and the fact that workers may use other traditional or customary mechanisms instead of the CH's mechanism.

#### **Workplace issues are the most commonly reported type of complaint**

The majority of surveyed CHs highlight that workplace issues were raised through their grievance mechanisms. Workplace issues range from occupational health and safety, wages to Gender-Based Violence and Harassment (GBVH), amongst others. For Group-CHs, commercial issues such as payment terms, credit or inputs, inspections etc were also highlighted by 59% of CHs as a type of complaint raised through their mechanism. Across CH types, some CHs note that serious issues were raised to GMs (e.g. GBVH, harassment, child welfare).

A number of CBs flag that CHs don't often receive complaints about wages and also issues of reprisals. In such cases workers tend to raise the issue with the CB during an audit rather than directly with the CH. This means on the one hand that CBs play a role in identifying issues and in helping CHs respond to issues. On the other, it also indicates that workers choose not to raising certain issues directly with their employer, possibly because GMs are not working.

#### **Workers and community members most common stakeholders in scope**

Workers and community members are the most common stakeholders within a mechanism's scope. The main difference as to who is allowed to raise complaints between Group and Individual or Multi-site-CHs is with regard to subcontracted and seasonal workers. For example, 86% of certified-Groups stated that seasonal workers can use the grievance mechanism, whereas this figure is 61% in the case of Individual and Multi-sites certificate holders. As for casual and day labourers, 82% of Groups said these workers can use the grievance mechanism, compared to 58% of the Individual / Multi-sites CHs. NGOs, civil society organisations and social workers in most cases are not allowed to file complaints.

### **7.3.4 Types of grievance mechanisms**

#### **Many Certificate Holders appear to handle complaints informally**

CHs were asked to describe their mechanisms in their own words to give an indication of how they manage their complaints. Based on the responses, there appears to be a mixed understanding of the meaning of a 'grievance mechanism', with just over 50% of responses suggesting a mechanism is a

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process, procedure, or committee, compared to 44% suggesting that their mechanism is only a means for submitting the complaint (email, suggestion box etc). What this tells us is that many CHs are likely to see their approach to dealing with complaints as an informal process of responding to issues as they arise on an ad hoc basis.

Nonetheless, based on responses there is a clear recognition that complaint handling involves various steps from confirming receipt of the complaint through to investigation and resolution, though this is not always set out in a formal procedure. This reinforces the above assessment that CHs will often resolve complaints informally.

### **Most Certificate Holders understand the value of a grievance mechanism**

CHs generally reported that they view the purpose of a grievance mechanism in the same way that RA does – that is to promote dialogue and feedback, develop trust between management and members (in the case of Groups) or between workers and management (in the case of individual farms and Multi-sites).

However, this is contradicted by responses to the CB survey where respondents noted that some of the main reasons CHs face challenges in operating effective grievance mechanisms being that CHs don't see added value of the grievance mechanism and that they just have it to meet RA's certification requirements.

Given the contradiction between the two findings, it is likely that CHs are aware of the public rationale for having a grievance mechanism (promote dialogue and feedback) but that this perhaps is not actually something that is translated into practice.

### **Group-Certificate Holders appear to have more advanced grievance mechanisms**

When CHs were asked to describe how they have improved their mechanisms, most responded with some examples of steps taken, with a significant focus towards improving accessibility through communication, providing awareness raising and training opportunities, and more channels to submit grievances. However, 19% did not provide a response or indicated that no steps had been taken.

### **Main efforts to improve grievance mechanisms focus on improving access**

The CHs that responded to our survey indicated that the main steps taken to improve grievance mechanism were to improve access. This is vitally important to an effective grievance mechanism and is one of the UNGP criteria in evaluating effectiveness. However, we can see that this was primarily the focus of all CHs who have been operating a grievance mechanism for under three years, with efforts to raise awareness and promote raising of complaints being promoted.

There were some signs of CHs with more established grievance mechanisms (operating for more than three years) taking more diverse steps to improve effectiveness. This included CHs reporting that they have taken steps to improve 'gender considerations' in their grievance mechanism's design, reviewing and refreshing existing policies, or involving trade unions in the resolution of complaints that had been raised. However, these 'mature' steps were identified in a minority of CH responses.

Based on the response to the CB survey, it's clear that most CBs are focusing on whether there are basic grievance management practices in place across Certificate Holders. This aligns with the CH survey finding of most grievance mechanisms being still quite early in their development to becoming effective. For example, the most common indicator of effectiveness looked for by CBs was the evidence of procedures. Whilst this is needed, it's also the most basic requirement needed under the RA grievance mechanism requirement, and alone should not suggest existence of effective grievance mechanisms. This is not to say that CBs are failing to pick up on other important signs, there is evidence that they are doing this from the survey, but it suggests that many CHs are still yet to meet basic RA requirements.

## 7.4 Annex 4: Mapping survey responses to the Maturity framework

The assessment of survey-respondents' GM maturity is based on reviewing responses against four key questions in the survey, focusing on:

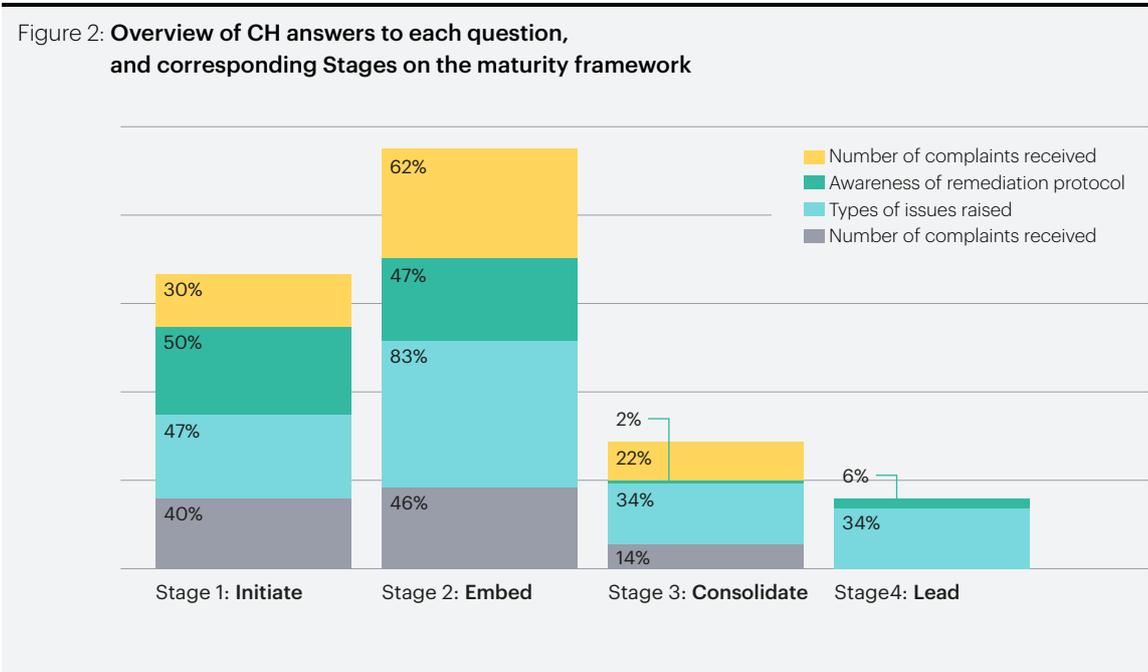
- The number of complaints – an indicator of how widely used the mechanism is
- The types of issues raised – an indicator of whether the mechanism is trusted by users to deal with complex human rights issues
- CH awareness of RA's Remediation Protocol – an indicator of management engagement with requirements in the new RA standard, and
- The types of steps that have been taken to improve the mechanism in the past two years – the type of step taken being an indicator of how mature a grievance mechanism is.

For more information on how survey responses were assessed against these questions, see this table below.

| Questions                                | Stage 1:<br>Initiate  | Stage 2:<br>Embed  | Stage 3:<br>Consolidate   | Stage 4:<br>Lead   |
|--|---|--|---|--|
| <b>Number of complaints received</b>     | 0   | 0–10   | 11–50   | 51+  |
| <b>Types of issues raised</b>            | Non-human rights issues reported / no human rights issues raised at all | Issues related to working conditions including hours, health and safety, wages etc   | Issues affecting communities including security concerns  | Severe human rights issues, including gender-based violence and harassment, child labour and Forced labour |
| <b>Awareness of Remediation protocol</b> | No awareness or no response provided                                    | CH notes that they are aware, but no comment elaborating on how  | CH notes that they are aware, and describes how it is being implemented   | CH provides a description of remedy being provided through use of protocol                                 |
| <b>Steps taken to improve mechanism</b>  | No steps taken to improve the mechanism in the past year                | Foundational steps have been taken to develop or strengthen a mechanism – including a formalising of process, developing a policy, defining roles, increasing access etc | Steps taken to improve implementation of the mechanism including allowing anonymity, developing or strengthening committees, etc. | Steps taken to widen engagement of external stakeholders in grievance handling                             |

Whilst, it is not possible on the basis of the survey to say exactly where each CH would fall on the Maturity Framework that has been developed, it is possible to identify roughly how many CHs exhibit practices that are consistent with particular Stages. The survey data does not allow us to say which CH is at which Stage as it is both possible, and likely, that a CH-exhibits features across multiple Stages.

Based on the data we have, it is therefore possible to identify broad trends across the four questions, which illustrate that there are significantly more CHs with grievance mechanisms at with characteristics aligned with Stages 1 and 2, compared to those with features you'd expect to see at Stages 3 and 4. See graphic below which shows the number of responses to the survey which demonstrate CH's with characteristics aligned with a specific Stage across the four indicators.



## 7.5 Annex 5: Case studies

*This Annex includes the eight case studies referred to in the report.*

| Name         | Certification type | Country       | Crop            | Size   |
|--------------|--------------------|---------------|-----------------|--|
| Agroecom     | Group              | Ghana         | Cocoa           | 1,412 members in Obuasi district                                       |
| SPAD N'Douci | Trader-led group   | Cote d'Ivoire | Cocoa           | 985 members across 3,000 hectares in 2 districts                       |
| Balsu        | Group              | Turkey        | Hazelnuts       | 2,034 members across 5 districts                                       |
| Kakuzi       | Multi-site         | Kenya         | Tea             | 687 permanent staff and 2,521 temporary workers across 14,000 hectares |
| Grupo HAME   | Multi-site         | Guatemala     | Bananas         | 12,581 workers across 10,000 hectares                                  |
| Brazilian CH | Multi-site         | Brazil        | Coffee          | 850 – 1200 workers across 3,200 hectares                               |
| Calla Farms  | Individual         | Colombia      | Flowers         | 116 permanent workers and around 216 temporary workers on one site     |
| Malawian CH  | Individual         | Malawi        | Plantation crop | Over 6,000 employees   |

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## 7.5.1 Case study – Calla Farms (Colombia)

### Introduction

Calla Farms is a Colombian company that processes chrysanthemums and sunflowers for export. It has the capacity to produce 28,545,695 stems per year for export, with the vast majority going to the United States, as well as to Chile, England, Spain and Panama. It is located on the same premises as an RA certified flower farm which is run by a related company, Blooms Direct S.A.S. This farms grow the flowers that are then processed for export by Calla Farms.

Calla Farms received RA farming certification in 2013 for farming and processing. Post-harvest processing includes the painting and spraying of flowers, as well as the design and assembly of bouquets. Calla Farms and Blooms Direct employ 116 permanent workers and in September 2022 had 216 temporary workers for its cultivation, harvest and post-harvest processing activities. Given the seasonal nature of the cut flower industry, it has high staffing fluctuations and relies on temporary seasonal workers during peak periods.

### The context of grievance management

Calla Farms has several formal and informal channels to raise, handle and provide resolution for grievances. Grievances may be raised via complaints boxes in writing, to the Consultative Committee, or informally with the Office of Staff Welfare or 11 employer appointed workplace representatives. At present, there is no union presence at Calla Farms.

#### Box 1: Colombia flowers context

**Challenges:** There are a variety of human rights challenges reported in Colombia's cut flower sector. This includes workers experiencing long hours, low pay, discrimination faced by women in particular, and temporary workers that are vulnerable to more severe forms of labour exploitation.

**Remediation pathways:** Labour issues fall under the jurisdiction of Colombia's judiciary, and cases concerning human rights violations are handled by civil authorities, including the Ombudsman. The Ministry of Labour (MoL) also has a telephone and online complaint mechanism to report labour violations. Several trade unions are active in the sector, including UNTRAFLORES who are specific to the flower sector, though unionisation in the sector is reported to be below 1% of all workers. Finally, The Florverde Sustainable Flowers environmental and social certification scheme for Colombian cut flowers requires its members to have an OGM in place

**Remediation in practice:** In practice, much of the judicial system is reported to be overburdened and inefficient. Additionally, there is reported to be a heightened backlog of labour complaints awaiting adjudication as a result of the impact of the Covid-19 pandemic. Unions also claim that the MoL's complaint mechanism does not permit anonymous complaints, and that there is a low response rate to those that are lodged.

The company first initiated a precursor to its grievance mechanism in 2013 when it introduced a good ideas box. Currently, the company has established three boxes on its premises where workers may make complaints, and one located outside its premises that is available to community members. Complaints or suggestions may be made about a range of issues including security, unsafe conditions and potential suggested improvements. Anonymous complaints may be made and in such cases the company publicises any remediation or responding action on posters displayed in the canteen.

In 2019, Calla Farms had a change of management that resulted in an innovative approach to grievance management. Management wanted to strengthen their engagement with workers in order to improve retention. To do this the company introduced a new Office of Humane and Responsible Management which is led by a professional social worker who reports directly to the Director of Calla Farms. The Office of Humane and Responsible Management includes the Office of Staff Welfare which is run by a trained

psychologist. The psychologist is assisted by two assistants who walk around the workplace making themselves available to workers who wish to raise any concerns. In turn, the assistants can convey these worker well-being concerns to the psychologist. This office also has an open-door policy, and workers may go and speak to any staff member, including the psychologist. The psychologist deals with workers directly, and assists in responding to any welfare issues, as well as providing support to more vulnerable groups including LGBTQ workers. All information is recorded by the Office but is entirely confidential and not shared with Calla Farms management.

Additionally, while not formally a part of the company's reporting channels, Calla Farms has 11 workplace representatives who are located across different departments of the business. They are appointed by management and act as another conduit between workers and management through reporting concerns on the behalf of workers. The representatives meet every month with the Head of the Office of Humane and Responsible Management to report any concerns and also meet regularly among themselves to discuss any emerging workplace issues. They operate on a consensus-basis with issues raised with management when all representatives agree that it requires escalation.

As a result of the requirements on grievance mechanisms in the updated RA standard, Calla Farms has recently introduced a worker elected Consultative Committee. The Consultative Committee replaced an existing workplace participation committee which is also a requirement under Colombian law. The Consultative Committee has a broad remit to hear concerns about workplace issues including harassment, human rights, gender equality, the workplace environment and social inclusion. Workers may make complaints verbally or in writing to Committee members. A meeting is then arranged with Committee members, the psychologist and any workers involved in the complaint. At the meeting, the parties discuss the complaint, any further necessary action (e.g., investigation) or agreed remediation action. The Committee also has the authority to settle interpersonal disputes through conciliation.

#### Calla Farms grievance mechanism information

| Policy →   | Who can raise complaints →   | How complaints can be raised →  |
|--|--|---|
| Human Rights Policy, Procedure on Participation Mechanisms (e.g. complaints boxes and Consultative Committee), Worker Code of Conduct  | All employees including temporary and seasonal workers, on-site service providers, community members   | Via complaints boxes, in writing or verbally to the Consultative Committee, verbally to Office of Staff Welfare, and verbally to the 11 representatives located across business   |
| Staff responsible →  | Common complaints →  | Remedies provided   |
| The Head of Humane and Responsible Management and Head of Security are responsible for the complaints box (although the Head of Security is responsible for only security-related complaints); Elected worker members are responsible for the Consultative Committee; the Company Psychologist is responsible for complaints made verbally to the Office of Staff Welfare. | Common complaints from workers to the complaints box relate to hygiene standards in workplace bathrooms and lunchroom, missing items and unprofessional workplace conduct. Common complaints from the community are about noise and pesticide smells. Common complaints to the Office of Staff Welfare are about staff wellbeing, sexual harassment, substance abuse and interpersonal conflict. No complaints have been made yet to the Consultative Committee. | From complaints box and Consultative Committee: Implementation of improvements to workplace cleanliness and hygiene and awareness raising with staff about hygiene standards. From Office of Staff Welfare: awareness raising and education of workers, worker sanctions or dismissal in cases of misconduct, provision of shower facilities and worker uniforms. |

### How the mechanism has improved

Key strengths of Calla Farm's grievance mechanism against the UNGPs effectiveness criteria

Legitimate

Accessible

Predictable

Equitable

Transparent

A source of continuous learning

Rights-compatible

Based on engagement and dialogue

### Understanding the need to comply with RA's Grievance Committee requirement, Calla Farms has established a Consultative Committee which includes representatives elected by workers.

While Calla Farms previously had a workplace participation committee, this had a limited scope, focused on health and safety and did not interact with the Office of Staff Welfare. With the Consultative Committee, the company has expanded the scope of issues that workers may raise to include issues of harassment, human rights, gender equality and social inclusion. In addition to its ability to conciliate disputes, the Committee meets every two months with management where it has the opportunity to raise any worker concerns. The Committee is also able to communicate on an ad-hoc basis with management through a Committee Whatsapp group that includes the psychologist. Calla Farms has also formalised the Committee process through a written complaints structure and process which is available to all workers. The written complaints procedure also reminds workers that they may report issues to other entities including the Ministry of Labour and RA.

### Including worker participation in grievance handling processes has also contributed to the legitimacy of the Committee.

The Consultative Committee is composed of two female members and two male members, and also includes permanent and seasonal workers. There is also a member from a migrant worker background, which is significant as Calla Farms employs many migrant workers from Venezuela. Ensuring that a diversity of workers and viewpoints is present on the Committee is important as it has the power to conciliate disputes between workers. The inclusion of female and migrant worker representatives in the Consultative Committee has also contributed to the increased empowerment of these more vulnerable groups, for example, management notes that female and migrant workers believe that they have the same access to working conditions and opportunities as other workers.

**"It is important to have a Venezuelan representative on the Committee as it is someone to trust and to take into account our needs as Venezuelans."**

— Calla Farms worker from Venezuela

While the Consultative Committee has only recently started operating, it demonstrates a significant step towards improving the effectiveness in the way that the company handles complaints and in complying with the RA standard. In acknowledgement of this, Calla Farms is currently focusing on building the capacity of committee members to ensure that they understand its purpose and scope, and so that members are equipped to deal with complaints. It is also building awareness of the committee among the wider workforce through providing information on grievance processes in permanent and seasonal worker inductions, announcements by management during morning and lunch breaks, and holding regular worker elections to replace seasonal workers that leave the company, as well as explaining the role of the committee at these elections.

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To make it clear who the committee members are, they also wear a specific shirt, hat and button to increase their visibility to workers, and their photographs are displayed in the lunchroom. Finally, there are also posters throughout the farm explaining grievance processes.

A key improvement made to Calla Farm's grievance mechanism has been the increase in accessibility through multiple access points. Workers may raise anonymous grievances through complaints boxes, raise issues with the Consultative Committee, speak to the 11 workplace representatives, or engage with the Office of Staff Welfare. Complaints boxes are placed in strategic locations, with one of them in the lunchroom. While this makes the box widely accessible, the operation of CCTV in the room may dissuade some workers from reporting. Following the introduction of the new RA standard, Calla Farms has also introduced posters next to the complaints boxes that reminds workers they may raise grievances elsewhere and providing workers with the phone numbers and email addresses of RA and the Ministry of Labour. The company also has signs located near the complaints boxes that reminds workers they can also contact Walmart to raise concerns.

To ensure appropriate oversight of the complaints raised to the boxes, they are opened monthly by the Head of Security and the Head of Humane and Responsible Management, and these complaints are then recorded in minutes and a remediation plan is devised by the Head of Humane and Responsible Management. This remediation is then outlined on public noticeboards, and include an overview of the complaint received and the response taken by the company. The aim of this has been to communicate back to those who have raised complaints anonymously and appears to have had some degree of success as all of the complaints they have received were anonymous. The company also makes a note of when it opens the boxes every month, and these notes are left by the boxes so that all workers can see how regularly the boxes are opened.

Multiple access points to grievance processes and to raising concerns with management is integral in a company with a diverse workforce. Introducing the Office of Staff Welfare and workplace representatives has been seen as a key improvement as a number of workers are illiterate, and these avenues allow workers to raise concerns verbally, rather than solely in written format to the suggestion boxes. Given that there are many seasonal and temporary workers, Calla Farms also identified the importance of ensuring that workers have access to grievance processes which are able to respond quickly to worker concerns. As a result, the complaints raised with the Office of Staff Welfare are dealt with immediately and more informally. For example, several staff members did not have access to running water at home or sufficient clothing. As a result, the Office of Staff Welfare has facilitated worker access to shower facilities at Calla Farms and the provision of additional uniforms.

### **Grievance resolution in practice**

Calla Farms received several anonymous complaints in the complaints box about the hygiene standards of the bathrooms and staff canteen. To resolve this issue, the company increased the frequency that it cleans the premises, and also promotes the importance of maintaining hygiene standards on posters at the workplace. Calla Farms also informed workers about the complaint and the remediation plan on posters displayed near the complaints box.

In another case, the Office of Staff Welfare became aware that several seasonal migrant workers did not have a sufficient amount of clothing to change every day. At Calla Farms, seasonal workers are not usually provided with uniforms which are for permanent workers. However, the psychologist quickly resolved the issue through the provision of additional uniforms to the seasonal migrant workers.

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**In 2017, the company also extended the use of complaint boxes and its grievance mechanism to communities surrounding Calla Farms' farms and facilities.** Calla Farms operates a complaints box for the community that is located outside the farm. It also provides the contact telephone number and email of the Office of Staff Welfare next to the community box. However, in the years since it has not received any complaints. It also has staff who go and speak to members of the local community to hear their concerns more informally as part of its 'Calla in the Community' programme. The community visits ensure that Calla Farms listens and responds to any community concerns. For example, as a result of community concern about the conditions of roads outside the farm, Calla Farms has improved the road quality, as well as installing safety signs about speeding. The 'Calla in the Community' programme also serves the important function of maintaining Calla Farm's good reputation within the community, which is important as these are the people who it hires as its workers.

**Management has reported a positive cultural shift within the organisation following the improvements since 2019.**

Previously, there was a culture of not raising concerns, but workers are now more open and at ease about expressing grievances in the workplace, particularly through more informal channels with the psychologist in the Office of Staff Welfare. Several stakeholders observe that workers prefer raising complaints verbally rather than using the complaints boxes, potentially because they feel that dealing with issues directly and face-to-face is more efficient.

There has also been an overall improvement in the relationship between workers and management. This improved relationship has also led to an increased retention of seasonal workers who elect to return to Calla Farms every year. For example, one temporary worker commented that one of the reasons he wanted to return Calla Farms was because of "the possibility to solve any issues and the trust among all". The increased retention of seasonal workers is a significant achievement given that the company is competing with many other farms, of which some also offer higher wages.



**"The Office of Humane and Responsible Management takes employee suggestions into account. Employees see the results. For example, many claim that health and safety conditions have improved."**

— Calla Farms worker

**Workers are also benefiting from improved workplace norms about acceptable conduct following the introduction of the Office of Staff Welfare.** It is reported that there has been an improvement to workers' workplace conduct following a worker complaint to the psychologist about the use of discriminatory nicknames. The Office of Staff Welfare launched a public awareness campaign about the importance of workplaces that are inclusive of all genders, races and sexual identities and respectful workplace behaviour, including the right of every worker to be known by their given name. This is particularly important as Calla Farms has a diverse workforce and there are different cultural norms between migrant and local workers about the appropriateness of nicknames. Awareness raising included presentations to workers at breakfast and lunch breaks and continues as part of induction for new workers.

## Lessons learned

Key lessons from Calla Farms' work to improve the effectiveness of their grievance mechanism are described below. These may include examples of good practice as well as challenges faced by the company in implementing an effective grievance mechanism. They include learnings relevant to companies at all stages of their grievance mechanism improvement journeys.

|                                |   |
|--------------------------------|---|
| <b>Step 1:<br/>Initiate</b>    | <p>Where there are stakeholders who may wish to raise a complaint and who are illiterate, it is important to have channels for raising complaints that are accessible to these groups.</p> <p>Whilst it is important to make sure that complaints boxes are secure, it is vital that they are not monitored by CCTV as this reduces the perception of anonymity for the complainant and may negatively affect trust among potential complainants.</p> <p>It is also important that information about complaints processes is communicated publicly to the intended users. For example, if there is a community grievance box, information about this should be advertised to those it intends to benefit.</p>   |
| <b>Step 2:<br/>Embed</b>       | <p>Where complaints boxes are used, it's important that these are opened regularly so that new complaints are identified and addressed promptly.</p> <p>Opening the complaints boxes regularly and recording any remediation in publicly available minutes helps in building worker trust in the legitimacy and transparency of the grievance process.</p> <p>Companies should also ensure that where operating multiple grievance channels that records of issues are consolidated in one place. These records can be anonymised into a register and used as a source of learning as well to identify any systematic issues.</p> <p>While informal approaches to grievance handling can be quick in responding to individual issues, it is also important to record the complaint and outcomes. This ensures that improvements and benefits can be applied more systematically and can benefit a wider number of stakeholders.</p> |
| <b>Step 3:<br/>Consolidate</b> |   |
| <b>Step 4:<br/>Lead</b>        |   |

## 7.5.2 Case study – Coffee producer (Brazil)

### Introduction

The Certificate Holder (CH) being looked at in this case study is a Brazilian coffee producing company based in the state of Minas Gerais. With several decades of experience in the sector, and customers across four continents, the company has an annual turnover of around BRL 250 million (approx. USD 48 million). The CH consists of two companies: one of which is the owning and managing entity of the company's coffee estates, and the second, smaller company that acts as a coffee trader. The CH runs three coffee estates covering 3,200 hectares. 850 workers are employed on a permanent basis across primary production, post-production, technical support, and administration activities. This number can rise to 1,200 workers as seasonal workers are also hired by the company for the harvest period, in addition to a smaller number of third-party contract workers throughout the year. The CH has been RA-certified since 2004. The company previously held Utz certification and participated in the Starbucks C.A.F.E practices programme.

### The context of grievance management

While open to both workers and communities, the CH's grievance mechanism is primarily used by workers at field level on its three farm estates. The company has never received complaints from community members. The new RA 2020 standard - which requires the establishment of a grievance committee and to ensure worker participation this process - was one of the catalysts for recent efforts to strengthen the grievance mechanism. Nevertheless, employee satisfaction and retention are also important factors for the company, which has always been keen to implement best practices.

#### Box 1: Brazilian coffee context

**Challenges:** There are a range of human rights issues reportedly linked to the Brazilian coffee sector. For example, key reported challenges faced by workers in the sector include health and safety hazards, informality and low wages, occasional reports of forced labour particularly in relation to migrant workers, and child labour – though typically in less formal farms.

**Remediation pathways:** Workers are able to raise concerns through a number of state-based mechanisms, including to labour courts and Juntas de Conciliação e Julgamento (conciliation boards). The Ministry of Economy also has a webpage that allows workers, labour unions and associations, labour rights organisations and citizens in general to confidentially register labour complaints. Complaints on situations that potentially amount to slavery (under Brazilian labour law) can be submitted without the complainant using their personalized government login.

**Remediation in practice:** Few coffee farms are reported to have grievance mechanisms in place, and low awareness of rights among workers may limit effectiveness / accessibility even where there is a grievance mechanism in place. Whilst agriculture was traditionally a very unionised sector, there has been a decrease since labour law changes in 2017, and few workers engaged in harvests are union members.

In 2021, the company conducted a gap analysis of the new RA 2020 standard against its practices. As a result, it identified the need to strengthen its grievance mechanism to comply with the new standard. In 2022, the company set about making some simple, cost-effective changes to their ways of working, which have brought about tangible improvements. These included:

- Establishment of a grievance committee on each of the three farms
- Awareness raising among the workforce about the grievance mechanism through training and posters
- Elections of worker representatives to participate in each of the grievance committees
- Training of grievance committee members
- Practical measures to increase the response time to complaints or suggestions
- Launch of a WhatsApp number with a direct contact to Human Resources (HR).

#### CH Mechanism information

| Policy →   | Who can raise complaints →   | How complaints can be raised →  |
|--|--|---|
| Grievance Mechanism Policy;<br>Code of Conduct   | Employees, third-party workers,<br>community members   | Via 3 farm-based suggestion boxes;<br>WhatsApp (direct number to HR);<br>Telephone; Email; Website; or orally<br>to HR or management staff                        |
| Staff responsible →  | Common complaints →  | Remedies provided   |
| There is one Grievance Committee per farm. Each committee comprises: 2 company directors; 2 members of HR; and two elected worker representatives from the farm – 1 male, 1 female. The “assess-and-address” committee, with the same members, also oversees the functioning of the grievance mechanism. | Treatment by colleagues or supervisors;<br>Working hours and flexibility; Food quality; Transport; Access to benefits. | Verbal responses to identifiable complainants and/or sensitive issues;<br>Public responses to other complaints or suggestions, relevant to the broader workforce. |

### How the mechanism has improved

Key strengths of CH's grievance mechanism against the UNGPs effectiveness criteria

Legitimate

Accessible

Predictable

Equitable

Transparent

A source of continuous learning

Rights-compatible

Based on engagement and dialogue

### Increased worker awareness of, and subsequent accessibility to the grievance mechanism has been a key outcome of the company's recent efforts.

The number of worker grievances submitted through the on-site suggestion boxes has almost doubled in recent months (from an average of four per month, to seven per month). Management attribute this to their awareness raising efforts. Recently, the company's HR staff organised training sessions with all workers to raise awareness about the mechanism, its functioning, and the election of workers' representatives for the grievance committee. Resources provided by RA were central to this process. Furthermore, all workers (including seasonal workers and third-party workers) are informed of the mechanism during their onboarding at the company. While awareness raising efforts have required company time, particularly that of HR – this process has been considered an effective measure, which has not required significant resource from the company.

**“Workers make jokes about it now among themselves – about putting something in the suggestion box. It demonstrates that they know about it, and they trust that it works.”**

— Workers' representative

The company has found that explaining the grievance mechanism in an accessible way, particularly through simple verbal explanation in-person – is effective for awareness raising activities among fieldworkers, amongst whom rates of illiteracy are higher. The company has also found that worker awareness is important for ensuring proper use of the mechanisms. For example, avoiding workers using suggestion boxes to report matters that should be relayed directly to supervisors – such as tool maintenance issues.

Other efforts that have recently served to increase visibility of the grievance mechanisms include investment in new on-site suggestion boxes, forms, and posters – replacing older versions. In addition, the company ensures that company responses to worker suggestions or grievances that are relevant to the wider workforce are publicised in written form (via posters) at key points at work sites, such as farm entrances, as well as on company buses and within the company's monthly newsletter. More sensitive complaints or suggestions are not treated in this way – and are followed up directly with the worker.

While greater awareness has, in turn, improved accessibility for workers, the company has also recently opened other channels for grievance – including a WhatsApp number directly to HR. Management are currently considering the development of a company smartphone application, which could also receive grievances.

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**Worker participation in the grievance committees has improved transparency.**

Under the new RA standard, grievance committees must include worker representatives. The company organised an election of worker representatives, and subsequently one male and one female worker have joined relevant grievance committees at each farm. According to management and workers representatives, worker participation in the committees has created greater transparency of the process for workers, who now feel more involved in the process.

**“The more people who are involved in the process, the better – the more transparent it becomes. Workers now feel part of the process – it creates a sense of belonging for them within the company.”**

— Company director

In addition to this, the company has sought other ways to create even greater transparency in the way that complaints submitted to the suggestion boxes are managed at each farm. Within the last year, the company now requires that two individuals from the grievance committee be present when the suggestion box is periodically opened – rather than one. Company management feels that this increased shared responsibility is more transparent – as worker representatives may also be involved in the opening procedure.

Initially, the company had not been aware of the importance of workers electing their own representatives – and had installed workers from the existing OSH committee as part of the grievance committee. An RA audit during 2022 served to highlight this, and the company subsequently set about organising elections, with support of RA guidance and feedback from the audit.

The integration of workers into grievance committees has not been without its challenges, in particular building trust between management and workers’ representatives. Management was initially concerned that workers’ representatives may not respect confidentiality of worker complaints. To date, this risk has been mitigated by ensuring representatives are provided adequate training and clear communication regarding their responsibilities as part of the committee.

**“The quicker we get back to them, or fix something, the more they can see that we do care – and it creates greater trust among us – and also encourages more face-to-face dialogue.”**

— HR manager

Improving response time has also served to build trust in the mechanism. This year, the company decided to increase the regularity of the periodic openings of the suggestions box, from every 30 days to every 15 days, in order to provide more timely responses. This in turn, also increased the frequency of the subsequent grievance committee meetings. Ensuring active participation and buy-in of directors in the mechanism has been crucial for ensuring these quick responses to workers. This is facilitated by the fact that two directors are present on the grievance committee installed at each farm.

According to HR and worker representatives, providing quick responses has served to build workers’ confidence in the mechanism and its functioning, as well as trust in the HR and management team. For example, HR has observed that as a result of more timely responses – and their increased presence on farm sites to conduct trainings – workers are now more regularly coming in person to discuss issues or simply ask questions, which they may have been more hesitant to discuss in person. This is particularly the case among fieldworkers who have previously been found to be more hesitant to approach management or HR.

A notable challenge faced in improving responsiveness, has been the presence of anonymous complaints. While the company does handle anonymous complaints equally, HR staff note that anonymity can present some challenges. For example, it can be more difficult and time consuming to conduct a full investigation of complaints and prevents the grievance committee providing direct responses to the affected workers. This is particularly the case when complaints relate to personal issues or incidents, rather than systemic issues – which are relevant to the whole workforce and for which responses can be communicated widely, through posters or the company magazine.

### Lessons learned

Key lessons from the Brazilian CH’s work to improve the effectiveness of their grievance mechanism are described below. These may include examples of good practice as well as challenges faced by the company in implementing an effective grievance mechanism. They include learnings relevant to companies at all stages of their grievance mechanism improvement journeys.

|                                       |  |
|---------------------------------------|--|
| <p><b>Step 1:<br/>Initiate</b></p>    | <p>Management buy-in to the grievance mechanism is key for ensuring these quick responses to grievances that come in creating multiple options for complaints is important – through emails, WhatsApp, suggestion boxes, and through direct conversation with supervisors and HR. Fieldworkers are often initially most comfortable with more impersonal options – such as suggestion boxes, rather than approaching senior staff in person.</p>   |
| <p><b>Step 2:<br/>Embed</b></p>       | <p>Improvements to grievance mechanism functioning can be brought about with little resource implication. The main inputs for the company have been resource time – particularly on the part of HR – which has conducted training and been responsible for updating policies. Guidance documents provided by RA have also been useful in supporting this process.</p> <p>Integration of workers’ representatives into the committees increases transparency but also can be a challenging shift at first. It is important that workers’ representatives are made fully aware of their responsibilities and the importance of confidentiality, through sufficient onboarding and training.</p> <p>Ensuring responsiveness to submitted complaints can help gain the trust of workers.</p> <p>Awareness raising is effective in increasing use of the mechanism. Awareness raising about the mechanism should be tailored so it is sufficiently accessible to workers with more limited levels of education. Verbal explanation has been found to be most effective.</p> |
| <p><b>Step 3:<br/>Consolidate</b></p> | <p>Grievance mechanisms are a process of continual improvement. Further improvements can be brought about by monitoring the number and types of grievances.</p> <p>The company intends to initiate this process in the coming months in order to identify trends and areas for improvement, as part of the work of its “assess-and-address” committee.</p>   |
| <p><b>Step 4:<br/>Lead</b></p>        |  |

## 7.5.3 Grupo HAME (Guatemala)

### Introduction

Grupo HAME is a Guatemala-based company that produces bananas, palm oil, plantain, and avocados, and has been an RA-certified producer of bananas since 2013. The company holds RA Group Certification, with 13 of its packing plants already certified under the 2020 RA standard and 11 packing plants that are in process of being certified under the new standard. The group grows around 10,000 hectares of bananas in the departments of San Marcos and Escuintla and employs a total of 12,581 workers for its banana cultivation and packing activities, 99% of whom are employed on a permanent basis. In addition to RA certification, Grupo HAME also adheres to several other social and environmental sustainability standards, including Global G.A.P. Sustainably Grown for its bananas and certification of the Roundtable of Sustainable Palm Oil (RSPO) and ISCC certification for the group's palm oil production.

### The context of grievance management

Figure 1: Timeline for grievance and consultation mechanism development



International good practice standards were a key driver of the improvements made to the Grupo HAME's grievance mechanism. These standards require the grievance system to be open to all stakeholders and to resolve disputes in an effective, timely and appropriate manner, while also ensuring anonymity of complainants. To be able to continue doing business under the certifications that serve as a reference point for customers and the market and to possibly attract new business, Grupo HAME set up a completely new grievance and consultation mechanism ('grievance mechanism'). This mechanism was intended to provide multiple channels to workers, communities, suppliers and other supply chain actors to raise grievances and queries. The scope of the mechanism was broadened to include Grupo HAME's banana operations in 2020, and management has been able to use many lessons learnt from the original mechanism into the mechanism that is more broadly accessible.

**Grupo HAME grievance mechanism information**

| Procedure →  | Who can raise complaints →   | How complaints can be raised →   |
|--|--|--|
| <p>Grievance and Consultation Mechanism Procedure</p>  | <p>Employees, community members, suppliers, clients</p>  | <p>Via telephone call (free-of-charge hotline); email; website; or orally to ‘Don Manuel’, a grievance administrator.</p>  |
| Staff responsible →  | Common complaints →  | Remedies provided  |
| <p>In rank order:</p> <ol style="list-style-type: none"> <li>1. A Monitoring Committee consisting of company directors.</li> <li>2. Compliance Manager.</li> <li>3. Compliance Officer.</li> <li>4. Grievance and Consultation Mechanism Coordinator.</li> <li>5. Two Compliance Assistants.</li> <li>6. Three GM Administrators known as ‘Don Manuel’ figures.</li> </ol> <p>These functions are supported by various committees: Assurance Committee (consisting of 7 persons); Ethics and Crimes Committee (4-5); Appeals Committee (4); Reconsiderations Committee (3-4); and the Public Complaints Committee (4).</p> | <p>Harassment at work (27%), provision of benefits (e.g. paid leave) (17%), alleged non-compliance with company procedures and policies (15%), violence, and threats and / or physical aggression (12%). The remaining 29% corresponds to complaints classified in other categories with a share of less than 10% in those categories.</p> | <p>Application of disciplinary measures (in 33% of resolved cases); provision of training (26%); implementation of improvements in staff services (17%); and taking preventive action (e.g. preparing action plans to address issues captured by the mechanism) (10%). To a lesser extent, remedies provided include the clarification of procedures and policies and correction of payments made. In cases of harassment, theft or physical aggression, the victim is provided with information about how and where to report their case to the relevant authorities.</p> |

Figure 2: **Overview of grievance handling process**



### How the mechanism has improved

Key strengths of Grupo HAME's grievance mechanism against the UNGPs effectiveness criteria

Legitimate

Accessible

Predictable

Equitable

Transparent

A source of continuous learning

Rights-compatible

Based on engagement and dialogue

### Ensuring the mechanism is accessible is a key priority for Grupo HAME, and raising awareness of its existence among user groups such as workers and communities has been central to doing this.

Prior to initiating certification processes in the company's palm oil operations, workers and communities could raise a complaint either via telephone or by depositing their grievance in a grievance box. Complainants could also voice concerns directly with managers on-site or with their immediate boss. Grievances were not consistently recorded, and information about number of complaints and their resolution is limited. To improve the mechanism and bring it in line with relevant certification standards, the company hired external experts to evaluate the mechanism and develop recommendations for strengthening its processes. One of the main findings of the evaluation pointed to a lack of trust by workers and community members to submit their complaints. As a result, Grupo HAME chose to significantly redesign the grievance mechanism, including by broadening the range of available channels for users to voice their concerns. Users can now raise a complaint through four different channels: a free telephone call ; sending an email; through the company website; and in person or a telephone call to a grievance administrator. Users of all channels can request to remain anonymous.

When implementing the new grievance procedure in their banana operations, Grupo HAME worked with internal communication experts to design and implement effective outreach and awareness raising strategies. Particularly effective measures for raising awareness among workers include putting up posters with information about the mechanism at the packing unit and in the buses workers use for transport. Talks during the hiring process, as well as ongoing talks at the workplace that emphasise that there should be no retaliation for raising complaints has also contributed to increased awareness along with the rights compatibility of the mechanism. As a result, the mechanism has seen an increase in complaints received over the years, demonstrating that users know where and how to voice their concerns. Conscious that surrounding communities may also be impacted by Grupo HAME's contributions, community members are informed on a continuous basis of the possibility of approaching their local leaders to submit a complaint to the company as a community, rather than an on an individual basis.

To build trust in the grievance mechanism among stakeholders in their banana operations, Grupo HAME took lessons from their experience in the palm oil sector, which was to ensure there was a 'human face' for the grievance mechanism. As such, the fictional figure of 'Don Manuel' was introduced, represented by the company's local administrators. By making regular visits to the banana farms to speak with workers, these administrators - Don Manuel - raise awareness of the mechanism. Their consistent engagement with farmers helps build good relationships, which contributes to people trusting the grievance mechanism to hear their concerns. This is also reinforced by having senior management carry out four annual visits to the farms to raise awareness of the mechanism. There are now three Grievance Administrators carrying out this role, spread across the different zones

**“I think the mechanism is good, because it is confidential. It seems to be serious, formal - they are paying attention to the complaint.”**

— Worker

**Another improvement to the mechanism was reinforcing the message that complaints would be treated confidentially and that there is the option to raise complaints anonymously.**

This is thought to have contributed to more complaints being raised related to harassment. Anonymous complaints now constitute 23% of all registered complaints, compared to 45% in 2019 and 2020. According to management, this decrease is due to the enhanced messaging around the confidentiality of the complaints procedure, which means that

workers that initially may have wanted to raise their concerns anonymously due to a lack of trust in the confidential nature of the procedure are now increasingly submitting their grievances on a named basis.

Complainants wishing to raise a grievance anonymously can use any of the grievance channels and request anonymity. If a complainant raises an anonymous complaint via the toll-free hotline, the Ethikos call centre that receives the call is tasked with registering sufficient relevant data, including the complainant's relationship with the company and their location, to enable subsequent investigation. Irrespective of the channel that the complainant uses, each grievance is assigned a case number. This number is either communicated to the complainant at the time of their call to the hotline, or, if the complaint is raised through one of the other channels, an anonymous complainant can call the hotline two days after submitting their complaint to receive their case number. The case number can be referred to when reaching out to the call centre to ask for updates on their case. To support anonymous complainants in knowing the status of their case, the company updates the status of case numbers on its website every month. To receive more information on the resolution of their case, anonymous complainants should then make a call to the hotline and give their case number.

**In an effort to reinforce predictability of the process, the grievance mechanism administrator communicates clear timeframes to the complainant after they have raised a complaint.**

The decision to do this was also borne out of the evaluation carried out by experts of their grievance handling processes, which found that workers and communities had little knowledge of how the company actually addresses complaints, who is involved, and what their role is. As a result, Grupo HAME developed a procedure that includes a timeframe for complaints to be processed, which is communicated upfront on the website as well as in the outreach meetings held with workers and communities. Grievance handling staff indicate that they are committed to ensuring that the planned timeframes are complied with because 'addressing issues on time is a key to the mechanism's success'. The grievance administrator is responsible for being in touch with the complainant throughout the process to give updates on the investigation and resolution of the case which contributes to the equitability and transparency and helps improve the engagement-based nature of the mechanism. Having a clear procedure to handle grievances has also been beneficial to staff. Previously, the staff member that received a complaint from a worker or community member needed to decide what action to take on it based on their personal views. Within the current mechanism, resolutions are based on established rules and procedures, such as the Disciplinary Manual, and staff can refer to this to explain to workers the basis of decisions taken in the context of grievance resolution, for example a decision to dismiss a worker.

**“We value the labour stability that comes with having a working grievance mechanism, because workers are satisfied with their salaries and happy workers are productive.”**

— Operations manager

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This takes away the pressure of making difficult decisions on an ad hoc basis. Having this more institutionalised process makes it easier for managers to clarify to workers that decisions are based on the procedure, not on their own (personal) criteria. For management, the new “institutional nature” of the grievance mechanism has been a real success. The importance of following this approach has been reinforced by linking performance bonuses to adherence to the Disciplinary Process. Group members and workers also appreciate the fact that grievance resolutions are now standardized and not subjected to individual decisions – giving a sense of confidence to those with concerns that their issues will be fixed. Changing the habits of raising concerns to the mechanism rather than only to supervisor or direct manager does, nonetheless, remain a challenge which the company is continuing to work to improve.

### Grievance resolution in practice

In 2021, members of a nearby community expressed their concern about security issues resulting from a passageway between a farm site and the main street of their community, as this alley provided a way for potential criminals to enter the community. The community therefore submitted a complaint to ask for a border to be constructed to restrict this passage. As a result, an investigation took place and the company built a ditch between the farm and the community to prevent potential criminals from using this entry point.

In 2022, a number of employees reported their dissatisfaction with the services provided by the food supplier in the canteen. The supplier was charging high prices for their products and supplies were insufficient to cover the needs of employees using the service. After an investigation, Grupo HAME decided to dismiss the services of the external supplier and took over the management of the canteen itself in order to ensure a better service for the workers. As a result, product availability has improved and the prices for products have been adjusted.

**Grupo HAME has also taken steps to improve the way that complaints are recorded, contributing to the mechanism being a source of continuous learning.** The CH keeps a detailed record of incoming cases and their corresponding resolutions. This enables the company to understand broader trends in terms of type of issues that come in and facilitates an analysis of potential root causes. In turn, this provides the company with the necessary data to develop targeted measures that focus on addressing identified systemic issues and potential root causes that transcend individual complaints. For example, this type of analysis helped Grupo HAME identify the need to address the issue of workplace harassment in a comprehensive way. As a result, the company commissioned an anthropological study into potential root causes, which is currently ongoing. The company hopes that the study will help to better understand underlying root causes in order to develop suitable actions to address issues.

## Lessons learned

Key lessons from Grupo HAME's work to improve the effectiveness of their grievance mechanism are described below. These may include examples of good practice as well as challenges faced by the company in implementing an effective grievance mechanism. They include learnings relevant to companies at all stages of their grievance mechanism improvement journeys.

|                                |   |
|--------------------------------|---|
| <b>Step 1:<br/>Initiate</b>    | <p>It is important to win buy in of middle managers, and to demonstrate to them that the process will help make their work more straightforward, rather than just giving them more work to do. Leadership from head office and operations managers were central to helping obtain buy in.</p> <p>Alignment of case resolutions against defined written procedures has helped standardise behaviours across middle management.</p> <p>It's important not to limit complainants to one way of raising a complaint. Leaving the option to raise issues with supervisors is necessary, in addition to confidential hotlines, email addresses, and Don Manuel.</p> |
| <b>Step 2:<br/>Embed</b>       | <p>Companies need to build awareness among those involved in handling grievances of the importance of recording all grievances in a centralised register.</p> <p>It takes time to build trust in the mechanism among the workers and communities that it is intended to support and company staff engaged in handling grievances.</p>   |
| <b>Step 3:<br/>Consolidate</b> | <p>Companies need to be sensitive to the needs of vulnerable or marginalised groups. In the case of Grupo HAME, they have indicated they would like to improve the grievance mechanism to be better suited to address women's complaints and concerns. To do this they are looking at having a female Don Manuel figure to address issues that most frequently affect women. As the company state, 'change is a constant. There are decisions to be taken – but they have to be informed'.</p>  |
| <b>Step 4:<br/>Lead</b>        |   |

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## 7.5.4 Case study – Kakuzi PLC (Kenya)

### Introduction

Kakuzi PLC (Kakuzi) is a public limited company listed on the Nairobi securities exchange, with independent Divisions engaged in the cultivation of tea, and in growing, packing and selling of avocados, livestock farming, blueberries, forestry products, and macadamia nuts. This covers 14,000 hectares. Of these, tea and avocados are RA certified, though the tea cultivation is managed by Kakuzi's sister company Eastern Produce Kenya Limited (EPK). Each of Kakuzi's Divisions is managed by a General Manager that reports to Kakuzi's Managing Director

Kakuzi employs 687 permanent staff and 2,521 workers on a temporary basis. Though there is some fluctuation during peak season, this is limited by workers moving between Kakuzi Divisions, so the overall number stays relatively constant.

### The context of grievance management

Kakuzi has an Operational Grievance Mechanism (OGM) that has been operational since July 2021. Prior to setting up this mechanism, there were some other mechanisms including health and safety committees and procedures for union member defined under the company's collective bargaining agreement. The mechanism has a broad scope, and includes affected communities, employees, farmers who supply produce, contractors and their workers, and other relevant stakeholders within its scope. A key driver in establishing the mechanism was a court case against the parent company of Kakuzi taken to a UK court, alleging serious human rights abuses by Kakuzi security guards against members of local communities. As a result, amongst other remedies, the company agreed to set up an OGM to allow for other human rights complaints to be raised and resolved quickly without the need to go to court in cases where complainants opt for a non-judicial mechanism.

On the basis of this, Kakuzi's OGM consists of two separate 'Tiers', each with its own procedure for handling complaints, these are [SIKIKI 1 \(Tier 1\)](#) and [SIKIKI 2 \(Tier 2\)](#). The Tiers are differentiated by the type of impacts that are brought forward.

## Kakuzi grievance mechanism information

| Tier 1 / SIKIKA 1    | Tier 2 / SIKIKA 2   |
|---|---|
| <p><b>Overview:</b> Tier 1 is a company-managed process that concerns impacts that may occur during the normal course of business operations that can best be handled and resolved by Kakuzi staff.</p> <p><b>Responsibilities:</b> It consists of a Grievance Officer, departmental Access Points, Investigation officers, a counselling team and a Grievance Committee</p> <p><b>Raising a complaint:</b> Access points include the following: toll free number, WhatsApp, email, suggestion boxes, letters, nominated supervisors, shop stewards, line managers and departmental heads.</p> <p><b>Process:</b> It involves six steps from 1) receipt of grievance, 2) acknowledgement, 3) assigning the case, 4) responding, and where applicable, 5) appeal and 6) then escalation to a state mechanism.</p> <p><b>Common issues:</b> From January to September 2022 the issues raised included Operational (26), Social (29), Health and safety (16), Labour issues (84), Human rights (14), Environment (14), and Security (2).</p> | <p><b>Overview:</b> Tier 2 is an independent process for grievances that concern allegations of severe human rights impacts that have been caused by, contributed to, or are directly linked with Kakuzi and/or its business partners. Tier 2 is separate from the company, though included in its mandate is the ability to make recommendations to Kakuzi management on remedy and prevention whilst safeguarding affected parties. An Independent Human Rights Advisory Committee is responsible for the oversight of the Tier 2 process. This is chaired by a former Attorney General to Kenya.</p> <p><b>Responsibilities:</b> Tier 2 consists of a Head of SIKIKA 2 responsible for adjudication, three Legal-Administrative Assistants and a receptionist and an Independent Investigation team comprising 4 former police officers.</p> <p><b>Raising a complaint:</b> Report directly to Tier 2 office, phone the Legal Administrator, send an email or letter. Though formally registering complaint needs to be done in person with documents attested. Cases may also be escalated from Tier 1 Grievance Committee.</p> <p><b>Process:</b> 1) Receive case, 2) Register and acknowledge, 3) Assign and interview involving triage to determine scope and next steps, 4) Independent investigation, 5) Independent decision, 6) Appeal 7) Resolve, 8) Closure</p> <p><b>Issues in scope:</b> Severe human rights impacts, which may include but are not limited to forced labour, physical/sexual assault, severe sexual harassment, exploitation, retaliation etc</p> |

Under Tier 1, the OGM is supported by access points that include union shop stewards and employee champions that facilitate complaint receiving and resolution. Kakuzi has also put in place a Grievance Committee. This committee is made up of Kakuzi's Managing Director, Gender and Human Rights Manager and Grievance Officer, and does not include any worker or community representatives. Depending on the nature of the grievance, the Community Relations Manager, the Human Resources Manager and the Head of Department associated with the grievance are involved. Interestingly, EPK is in the process of setting up its own grievance mechanism with the support of the consultants that also worked with Kakuzi.

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### How the mechanism has improved

Key improvements of Kakuzi's grievance mechanism against the UNGPs effectiveness criteria

Legitimate

Accessible

Predictable

Equitable

Transparent

A source of continuous learning

Rights-compatible

Based on engagement and dialogue

### One of Kakuzi's successes in improving the effectiveness of its grievance mechanism has been the broadening of access points through which workers and communities could raise complaints.

Whilst workers were previously able to raise concerns via the shop stewards on the site, this limited the number of potential complainants to union members. Likewise, community members could previously raise concerns with Community Liaison Officers but did not believe this was a channel through which concerns could be resolved.

Now all workers, permanent and temporary, can raise complaints through shop stewards regardless of union membership, supervisors, the grievance officer and also to a toll free number, WhatsApp, email, suggestion boxes and letters. Likewise, communities are able to use these access points (except for shop stewards and supervisors), whilst also being able to raise complaints through Kakuzi's Community Liaison Officers or Community Relations Managers. For serious human rights complaints, complainants may also go in person to the SIKIKA 2 offices, located off-site, or use the other options available for Tier 2 offices and lodge a complaint with the independent mechanism.

This increase in access points, coupled with a misconception that complaints registered will lead to financial compensation, has led to a significant increase in the number of complaints received. Whereas the company reported receiving very few complaints before the changes in 2021, in the first year it had received 430 complaints to its Tier 1 mechanism. Likewise, the Tier 2 mechanism has proved popular for individuals seeking remedy for historic issues, and in its first year, this mechanism has received over 1,421 complaints.

However, this has also created challenges for Kakuzi in ensuring they can deal with these complaints effectively, and they acknowledge the ongoing challenge and need to ensure they are effectively managing the expectations of those raising complaints in search of financial compensation.

As time has passed, more people have become aware that investigation and validation processes are part of the system, and as a result have understood that the scope of both SIKIKA 1 and 2 is to deal with human rights impacts caused or contributed to by Kakuzi.

In addition to the access routes described above, complainants can also raise grievances through other mechanisms that function separately from the two tiers. One is a mechanism run by village committees in communities where workers live in company-provided housing. These are primarily engaged in resolving disputes between families. The other is the grievance mechanisms defined in the collective bargaining agreement between Kakuzi and the Kenya Plantation & Agricultural Workers Union (KPAWU), and health and safety committees.

**“The most important thing in the OGM was increasing the number of access points and their capacity building on business and human rights.”**

— Kakuzi Manager

For those complaints raised to KPAWU by workers that are union members, Kakuzi encourages workers to raise complaints through the Tier 1 mechanism. However, where this doesn't resolve the issues, and as part of the collective agreement, workers can also raise concerns outside of the OGM with their shop steward, who can escalate to internal Kakuzi management as per the collective agreement. As all workers are covered by the collective agreement regardless of whether they are a member of the union, all workers can benefit from the grievance procedures under it.

If this doesn't help, issues can be further escalated to monthly and then quarterly divisional meetings between the union and management. This means that union members can use the KPAWU as a means of appealing outcomes from the OGM. Though the KPAWU currently negotiates terms and conditions for all Kakuzi workers, they only offer support in complaint cases to their members, constituting roughly one fifth of the workforce, who are mainly permanent staff.

For KPAWU, there is a perception that the company's OGM undermines the grievance procedures set out in their collective bargaining agreement with the union. From KPAWU's perspective, the OGM can hinder their ability to directly access key HR personnel for addressing their members' concerns. This poses a challenge for Kakuzi in how best to integrate existing union structures within the company's new mechanism.

**An important factor in ensuring that complaints are raised and dealt with through the mechanism has been the widespread training and sensitisation of relevant Kakuzi management and staff that have a role in handling complaints.** This is particularly relevant to Tier 1. This sensitisation and buy in has been carried out from a corporate level down to relevant field staff. As the mechanism now involves Corporate Affairs, Kakuzi has created accountability that runs to the top of the organisation, which itself sends a message to all management that the grievance mechanism is important. Such training and sensitisation has been important to help the company overcome resistance from some managers and supervisors who have been concerned that the mechanism is designed to expose them.

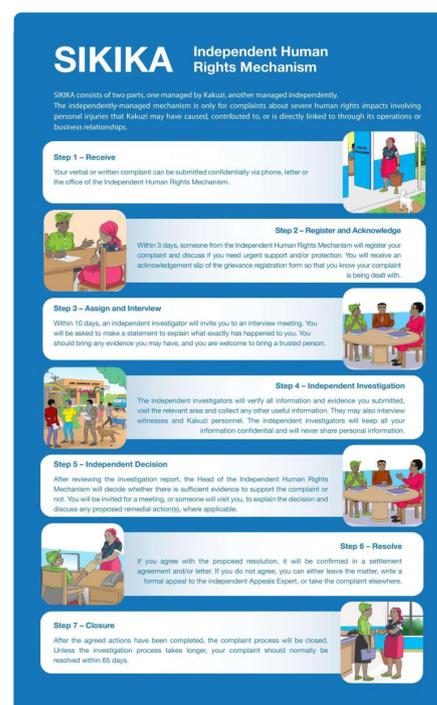
This message on the importance of the mechanism has been backed up by Kakuzi hiring an independent expert consultant to not only help devise a new effective mechanism, but also to raise awareness and train relevant management on their roles and responsibilities. All of this involved raising management awareness of the UN Guiding Principles on Business and Human Rights (UNGPs), and then undertaking specific training on how to handle grievances that were being raised. Management and access points (supervisors and shop stewards committee) were also trained by the external consultants as train-the-trainers, and in turn trained workers on the mechanism.

Likewise, Kakuzi has taken steps to also raise awareness of the mechanism among rightsholders. Kakuzi distributes information on the grievance mechanism to new employees, and the company notes that they have an annual and weeklong mechanism awareness program for employees during peak season when employee numbers are highest. Further efforts to raise awareness among workers include the publication and distribution of materials in English, Kiswahili and Kikuyu to aid a deeper understanding of the process. Providing a clear, simple and known procedure in a user-friendly guide has served to enhance predictability of the process and outcomes available.

For Tier 2, additional publicity took place by hosting community meetings in conjunction with chiefs and sub-chiefs, and through disseminating flyers with information on the mechanism through local administrations and village elders. These flyers (see below) are in English, Kikuyu and Kiswahili and include step by step overview of how cases are handled.

**To help improve the Tier 1 mechanism and to ensure that remedies being provided meet the needs of the complainant, Kakuzi now systematically records all complaints, actions taken, and remedies provided.** Whilst grievances were previously recorded, they were not held centrally, and are now maintained confidentially. This is crucial as it allows the company to not only track progress and make sure that complaints are actually being resolved, but also serves as a source from which the company can identify trends and issues and begin to proactively address root causes. The company's Grievance Officer has responsibility for updating and monitoring the grievance register and for assigning responsibilities and pursuing cases to check that they are progressing and being resolved. Even more minor cases that supervisors or managers handle before being submitted to the grievance officer are to be reported and their outcomes recorded.

**For those stakeholders that use the mechanisms to raise complaints, the most important step that Kakuzi has taken to improve the mechanism has been to introduce the independent Tier 2 process.** The Tier 2 mechanism is staffed by professionals with experience in investigations and arbitration. This includes the head of the mechanism who is a retired High Court judge working with a team of four Legal Assistants and a receptionist, and the head of investigations who is a retired Senior Assistant Commissioner of police working with a team of three retired police officers. Support from these lawyers is provided for free for complainants whose cases are at an advanced stage. As mentioned above, this mechanism is seen by many community members as a trusted avenue to resolve historic disputes with Kakuzi including treatment by the company during protests in 2014. This mechanism has the authority and mandate to make decisions on monetary compensation to people who feel they have been negatively impacted in the past. Other possible resolutions include an apology commitment to non-repetition, community projects (for collective remedy), or restoration.



**“ The most important thing was opening an independent office that is staffed with trustworthy and experienced officials. They are respectful in the way they treat people who visit their offices with complaints and have demonstrated that they are only after the truth.”**

— Community member

To build trust and demonstrate transparency to stakeholders that use the mechanism, Kakuzi has published a [summary report of the Tier 2 mechanism](#), which includes openness about how the mechanism functions, case outcomes, and also ‘bottlenecks’ that have impacted on the mechanism’s functioning, and interventions that have been put in place to overcome these. For example, Kakuzi noticed that some complainants were also acting as witnesses in the complaints of others. Dealing with each case individually extended time taken to investigate, so now complaints related to the same issue are paired together when registering to speed up the complaint process.

**In line with the above, recent changes to how grievances are handled and responded to has improved relations between the company and its surrounding communities.** Historically the company’s relationship with communities has been strained, and previous efforts to promote dialogue between the two have failed due to the lack of meaningful engagement and action between all parties. However, since initiating the changes to the mechanism, community members acknowledge improved trust in the company to listen and respond to their concerns. Key to this has been creating the independent mechanism (as outlined above) and providing Community Liaison Officers and Community Relations Managers that have financial support from the company to actually initiate services requested by communities. In one case, communities that had long been calling on Kakuzi to provide support in preventing hippos from damaging their land and crops, have seen the company respond with a solution that fixes their problem. This is an actual demonstration that Kakuzi is listening and taking action on behalf of those who have been affected and has increased community confidence in the company.

**Kakuzi’s efforts to make the mechanism more effective has also seen an increased focus on resolving complaints related to gender based violence and harassment (GBVH).** This has been done with the understanding that this is a prevalent issue and that there was a need to do more to protect right of particularly vulnerable groups such as women and children. For example, when cases related to GBVH are raised in employee villages, Kakuzi’s health team provides counselling to affected individuals, and leads awareness raising sessions for workers on the causes of GBVH and how to stop these issues arising.

Kakuzi also highlights that the mechanism has integrated safeguards and supports to protect the rights of complainants, witnesses and vulnerable groups. The objective of integrating the relevant safeguards is to provide adequate assistance to those who may face particular barriers to access in order to ensure that the outcomes and remedies of the process are in accordance with internationally recognised human rights.

**“ I was able to report a case of sexual harassment against my boss and did not suffer any retaliation. I still work under him but he now has more respect for women in the department because he is aware of the fact that women can speak out and hold him accountable for his behaviour without feeling embarrassed.”**

— Kakuzi worker

## Lessons learned

Key lessons from Kakuzi's work to improve the effectiveness of their grievance mechanism are described below. These may include examples of good practice as well as challenges faced by the company in implementing an effective grievance mechanism. They include learnings relevant to companies at all stages of their grievance mechanism improvement journeys.

|                                |  |
|--------------------------------|--|
| <b>Step 1:<br/>Initiate</b>    | <p>There is a business case for improving a company's grievance mechanism. Having a transparent process, and demonstrating to complainants that their concerns are being addressed through action, helps dispel negative rumours and perceptions about the company's intentions and is key to building trust with workers and communities. This improves a company's reputation among stakeholders.</p> <p>An independently managed mechanism with mandate to ensure remedy where provided helps secure trust among workers and community members, particularly in cases that involve significant human rights concerns.</p>   |
| <b>Step 2:<br/>Embed</b>       | <p>Once new changes are made to a grievance mechanism to increase accessibility and awareness, the number of complaints should increase. Ensure adequate staffing to manage this. If the mechanism is functioning effectively, and resolving cases and preventing recurrences by identifying and addressing root causes, the number of complaints may begin to fall.</p> <p>Designating a position responsible for managing and overseeing the company's grievance mechanism helps ensure progress of cases, and holds management to account.</p> <p>It is important to train and empower staff who operate the grievance mechanism and have face to face interaction with complainants. This entails training staff, providing clarity on the types of responses the company can make, and ensuring there is financial and managerial support to take action when necessary.</p> <p>It's important to involve external actors in the design and functioning of a mechanism, such as trade unions.</p> |
| <b>Step 3:<br/>Consolidate</b> | <p>It is important to clearly communicate the scope, potential and limitations of the mechanism to users in order to manage expectations. Clearly explaining the process for investigating and resolving complaints, is essential to manage expectations.</p> <p>Companies need to carefully consider the appropriate means of integrating stakeholders into their committees. This can be supported by defining clear terms of reference on scope and responsibilities.</p>   |
| <b>Step 4:<br/>Lead</b>        | <p>Publishing data on how the mechanism is functioning, highlighting challenges, and opening up to feedback from key stakeholders is critical to building trust in the mechanism and demonstrates openness to feedback and improvement</p>   |

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## 7.5.5 Case study – Agroecom (Ghana)

### Introduction

Agroecom, a subsidiary of ECOM, is a Ghanaian Licensed Buying Company engaged in sourcing and selling cocoa. The company has held RA group certification since 2011 and oversees more than 30,000 RA certified cocoa farmers. Agroecom's head office, including its human resources department, is based in Kumasi. The company has its operations in all the cocoa regions of Ghana in more than 80 cocoa districts, though it sources RA certified-cocoa from 27 districts. In each district, ECOM is represented by a District Depot Manager that reports to ECOM's head office, as well as by a Field Officer who is responsible for Sustainability projects including capacity building and community development activities in the district. Every district consists of groups of farmers that Agroecom sources from, called societies (or communities). Every society has a Purchasing Clerk, an agent that is contracted on a commission-basis by the District Depot Manager, who is responsible for buying cocoa beans from farmers. This case study focuses on Obuasi district, one of the 14 districts in the Ashanti region that Agroecom sources from. At the level of Obuasi district, Agroecom employs 14 permanent staff and 23 workers on a temporary basis. The district is made up of 29 societies with a total number of 1,412 farmers.

### The context of grievance management

Agroecom has in place both informal and formal grievance procedures, which are meant to complement each other. Both procedures are captured in the company's grievance policy that was reviewed in 2021. The policy and grievance mechanism are accessible company-wide. Prior to 2021, the company had a grievance mechanism in place that was modelled on the RA 2017 standard. While this system received grievances, complaints were mostly dealt with informally and there was no systematic capturing of issues and resolutions. . For example, prior to 2021, farmers would raise concerns verbally with Agroecom staff during their community visits or discuss grievances with community leaders, and there was no process in place to either record complaints or escalate complaints to management.

In 2021, the company identified the need to strengthen its grievance mechanism to comply with the new RA 2020 standard, as well as to give stakeholders a credible system that could address their complaints. That same year, Agroecom made the following changes:

- Amended their grievance policy so that it outlines both the informal and formal procedure for grievance raising and resolution.
- Established complaints boxes at each level of the supply chain (Head office; district level; and community level) and development of complaints forms to capture issues.
- Inclusion of management team members in the district grievance committee.
- Installed a grievance committee at every district as well as appointing staff members at society-level to be responsible for handling grievances.
- Published phone numbers of grievance committee members at society level.
- Provided training for grievance committee members and society representatives involved in grievance handling.
- Worked on awareness raising among group members about the grievance mechanism through regular farmer training and group meetings with the involvement of management

The company has so far spent 1 year and 6 months and USD 1,200 to implement the improvements in the Obuasi district. The financial investment primarily went into the design and printing of awareness raising materials, such as flyers and banners, and development and printing of complaint forms.

**Box 1: Ghana cocoa context**

**Challenges:** There are a range of human rights issues reportedly linked to Ghanaian cocoa production, including child labour and poor livelihoods for both cocoa farmers and hired workers. There have also been some reports of labour abuses affecting seasonal migrant labourers.

**Remediation pathways:** The National Labour Commission (NLC) is mandated to settle industrial disputes and to receive and investigate complaints on violations of the Labour Act. It can resolve issues through negotiation, mediation and arbitration, or through direct intervention by requiring an employer to restore the position of the worker or pay them compensation. Agricultural workers may join the Ghana Agriculture Workers Union (GAWU), the biggest agricultural union in Ghana with a reported membership of over 52,000.

**Remediation in practice:** While the NLC is reported to both receive and resolve cases from individuals, workers, and workers' organisations, the informality of employment on cocoa farms and the remoteness of the communities limits the avenues available to seasonal workers to raise concerns in practice. Low rates of unionisation in the informal sector, including most cocoa production, limit workers' opportunities to voice concerns with unions.

**Agroecom grievance mechanism information**

| Policy →   | Who can raise complaints →  | How complaints can be raised →  |
|--|---|---|
| Grievance policy (est. 2011)   | Group members, group members' workers, and group staff  | Via direct or unanimously through complaints boxes (at either head office, district or society-level); telephone (direct number of grievance committee members or District Depot manager); or orally to Purchasing Clerk or society executive member (society-level), Grievance Committee members, District Depot Manager or Field Officer (district-level), or line manager (company staff-level). Recently the company has also started using a telephone hotline for receiving complaints. |
| Staff responsible →  | Common complaints →   | Remedies provided   |
| There is a Grievance Committee in each district that Agroecom operates in. The Committee oversees all issues from the societies (communities) within its district. At society level, representatives appointed by management (Purchasing Clerks and Field Trainers) are responsible for grievance handling. At company level, the human resources department at head office oversees company-wide grievance handling. The District Depot Manager can escalate serious cases (e.g. around human rights violations) to the company's human resources department. | <p>For group members' workers: issues around not receiving due wages on time. Workers are generally promised to be paid during the main cocoa season, but payment can reportedly be delayed due to crop failures.</p> <p>For group members: delays in purchasing of harvested cocoa and delays in supply of planting materials.</p> <p>Issues around child labour have so far not been received by the grievance mechanism. Child labour issues are proactively identified, captured, and remediated by Agroecom's Child Labour Monitoring and Remediation Systems.</p> | Settlement of the outstanding payment; preventive measures such as encouraging farmers to join Village Savings and Loan Association (VSLA) to have easy access to funds; introduction of additional livelihoods activities for farmers both on- and off-farm. Also linking them to remunerative markets.  |

### How the mechanism has improved

Key improvement areas of AGROECOM's grievance mechanism against the UNGPs effectiveness criteria

Legitimate

Accessible

Predictable

Equitable

Transparent

A source of continuous learning

Rights-compatible

Based on engagement and dialogue

### Establishing a formal grievance procedure to complement the informal procedure and recording both types of complaint in a written document has improved the predictability of the mechanism.

While Agroecom observes that solving issues informally may often be preferable, the company recognizes there are some grievances that are best handled in a more formal way, such as complaints related to sexual harassment. As such, Agroecom sought to establish a grievance mechanism that would enable complainants to keep raising and resolving complaints informally as well as providing an opportunity to submit grievances to a more formal procedure. To clarify this approach to all stakeholders, both procedures are outlined in Agroecom's grievance policy document launched in 2021. Copies of the policy have been distributed to Agroecom's representatives at the district level, as well as to the Purchasing Clerks and Field Trainers at society level.

Group and community members, including group members' workers, with a grievance that relates to any activities of Agroecom or its farmers are asked to initially try to resolve the issues informally through directly engaging with the other party involved. Where this is not feasible, the complainant should discuss the issue on an informal basis with the relevant Purchasing Clerk or any other society representatives. If this informal procedure is deemed unsuccessful, under the new policy the complaint should be escalated to the formal grievance handling procedure.

This involves submitting a complaint in writing to a complaints box, to any grievance handling staff, as well via telephone. In the formal procedure, the grievance committee is responsible for handling the case and should notify the complainant of their decision within 10 working days after receiving the complaint, indicating a further effort to build predictability. In the formal procedure, complainants also have the option to appeal if they are not satisfied with the decision made.

### The company's enhanced ability to resolve cases is contributing to the mechanism's predictability and builds trust among user groups.

Prior to implementing these key changes to its mechanism, management observed that some group members had become disengaged with the company due to their grievances not being addressed. As a result, some farmers chose to not sell their cocoa to Agroecom, which had a negative effect on the Group's financial targets. The company has found that, since the launch of the grievance policy, they are much better equipped to address issues in a systematic way,

**"I am more likely to raise a complaint now because of the rules and regulations that are in place for grievance handling. I have more trust in the system now."**

— Group member worker

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which has led to a higher number of resolved cases. In addition to an increase in the number of complaints that are raised by group members, management also believes this to have contributed to a growth in Agroecom membership, as farmers are more likely to want to do business with a company that has demonstrated its capability and willingness to resolve issues. Nonetheless, whilst complaints from farmers have increased, very few complaints from their workers have been reported.

**Widening the range and number of grievance channels at all levels of Agroecom's supply chain has contributed to increased accessibility of the mechanism.** As a first step towards improving the accessibility of its mechanism, the Group established complaints boxes at the head office, in each district and within each society, thereby covering all levels of its supply chain. These are located at cocoa collection depots or warehouses where farmers are most likely to interact with Agroecom. Complaint forms to fill in are found at each complaints box. While the development of complaint forms initially required some financial investment, management considers this a necessity in order to be able to systematically capture complaints.

Stakeholders at a society level can raise their concerns in person or in writing with the Purchasing Clerk and Society executives. At district level, complainants can voice their concerns with the Field Officer. Under the new policy, rightsholders can also submit a complaint via telephone by calling a grievance committee member or the relevant District Depot Manager directly.

For Agroecom, leveraging on existing structures and staff in place has made it easier to implement its grievance mechanism as opposed to hiring new staff or creating new management structures. Working with current staff and contracted workers such as Purchasing Clerks has meant leveraging the level of trust they had already build up with farmers and farmers' workers. Additionally, it meant Agroecom has not had to attract new staff to implement its grievance mechanism, keeping costs down.

**Awareness raising activities have resulted in an increase in complaints received, particularly from farmers.** Sensitization and awareness raising have been an important part of the company's approach towards improving their mechanism. Visual posters with information about the mechanism and the phone numbers of grievance committee members are on display at society and district level at cocoa collection warehouses. All awareness raising materials make extensive use of pictograms and visuals to cater to the large group of farmers and hired workers that have limited literacy.

The company has also found in-person training and meetings to be an effective way of creating awareness of the mechanism with group members. When the new procedure was launched, a sensitisation campaign began to be rolled out across all districts cover the grievance mechanism and its procedures. These sensitisation workshops take place once in each district and the roll out is still ongoing. Purchasing Clerks also organize regular farmer trainings and meetings at society level to be delivered by the Field Officers. These trainings cover general topics, and include a segment on worker grievance mechanisms.

Training aids used in these sessions are mostly visual, and any text used is in the local language. The company has found that involving management members in the engagement efforts with communities is valuable, as it demonstrates to stakeholders how important the grievance mechanism is for the company. To reach a wider group of rightsholders, Agroecom also held focus group discussions with key group members and opinion leaders about the mechanism and asked them to serve as ambassadors for the mechanism within their societies. This included local chiefs, family heads, local Pastors and Imams, youth leaders, female leaders and anyone in the community of high profile. The company spent some financial resource on this.

Management observes that the combination of a widening of access points as well as increased awareness raising has led to an increase in complaints. Since the inception of its updated mechanism, it has received 28 complaints, which is an increase compared to the year before. Importantly, most of the complaints that the mechanism currently receives were submitted by group members' workers, who were previously not using the complaints system at all. To deal with these, committee members

have had their capacity built and they are able to meet the complainants to settle the cases amicably where the members make the payment to the workers. While this already demonstrates change that has been achieved in less than a year, in the near future Agroecom wants to keep focusing on increased sensitisation and awareness raising among user groups to stimulate more complaints to come in. Additionally, the company sees room for improvement around documenting complaints that have been raised informally and are not yet included in the total number of reported complaints.

## Grievance resolution in practice

A group member reported that last year, their cocoa farm was not mapped by Agroecom even though they had registered with the community level office. As mapping is used to determine the quantity of inputs needed, this meant the member did not receive sufficient inputs which negatively impacted their yields. The member reported the matter to the Purchasing Clerk at their society, who ensured that the mappers prioritized the member's farm during their mapping process this year. The member found this a satisfactory resolution of their complaint.

**Providing complainants the opportunity to raise complaints confidentially over the phone has increased the number of recorded complaints.** Stakeholders' fear of retaliation was identified by management as one of the key obstacles for stakeholders to raise complaints in the past. As a result the company identified ways to reduce this fear. Confidential grievance handling is important to Agroecom, and all grievance committee members are required to sign a Confidentiality Agreement that prohibits them from discussing a grievance before and after it has been resolved. When calling a grievance committee member, a complainant can also decide to stay anonymous. If the caller chooses to remain anonymous he/she is encouraged to follow up with a call for resolution of issues. Management observes that in the current system, the majority of users prefer to submit their complaints anonymously over the phone. Common anonymous complaints include issues related to the delayed payment of cocoa supplied to Purchasing Clerks and delays in the supply of farm inputs and planting materials by the society's Field officer.

There is also a hotline which employees can access to report unethical conduct anonymously, which includes issues of retaliation through internal existing communication channels operated by an external reputable firm who will manage the process. To date no complaints from workers or labourers related to social or human rights issues have been recorded.

**Recording submitted complaints remains a key challenge for making the mechanism a source of continuous learning.** A large number of Agroecom group members are semi-literate or illiterate, which makes it difficult for them to submit complaints in writing. Whilst phone numbers and the option to raise concerns directly with society representatives have made it easier for illiterate complainants to submit grievances, management observes that not all verbal complaints are captured in writing by grievance handlers. Additionally, although the 2021 grievance policy requires informal complaints to be documented by grievance handlers where applicable, this is generally not the case. Management sees recording complaints as a key priority for improving the mechanism in the near future and aims to focus on continuous engagement staff involved in grievance handling on the need to document all incoming complaints.

**"We used to resolve issues locally and among ourselves, but our grievances were not documented or escalated to group management. Now, there is an open and transparent system in place to channel all our grievances."**

— Society organiser

## Lessons learned

Key lessons from Agroecom's work to improve the effectiveness of their grievance mechanism are described below. These may include examples of good practice as well as challenges faced by the company in implementing an effective grievance mechanism. They include learnings relevant to companies at all stages of their grievance mechanism improvement journeys.

|                                |  |
|--------------------------------|--|
| <b>Step 1:<br/>Initiate</b>    | <p>A formal procedure for grievance handling does not need to replace an existing informal process, but can complement it. For the two processes to function well together, it is important to capture both processes in a policy and clearly pinpoint where a case can or must go from one process to the other.</p> <p>Establishing complaints boxes at different levels of operations can be a small and cost-effective way of increasing a mechanism's accessibility.</p> <p>Include a broad group of potentially affected stakeholders within the scope of the grievance mechanism, including surrounding community members.</p> <p>Building trust among group members' hired workers to submit complaints related to social or human rights issues can be challenging and may take time.</p> |
| <b>Step 2:<br/>Embed</b>       | <p>Ensure awareness raising campaigns clearly communicate issues that may be raised, the process for handling them, and that these include or target potentially vulnerable groups</p> <p>Leveraging on existing company structures to build the grievance management system can be a cost-effective way to set up a formal grievance system. However, it is important to ensure that all staff involved receive sufficient training and capacity-building.</p> <p>Using a Training of Trainers approach can be helpful to keep the costs of capacity building manageable.</p> <p>Ensuring that complaints are captured and documented in writing can take time and may require increased efforts related to reinforce messaging about its importance.</p>   |
| <b>Step 3:<br/>Consolidate</b> | <p>Recording submitted complaints constitutes a key action to enable continuous improvement of a grievance mechanism.</p>  |
| <b>Step 4:<br/>Lead</b>        |  |

## 7.5.6 Case study – Balsu (Turkey)

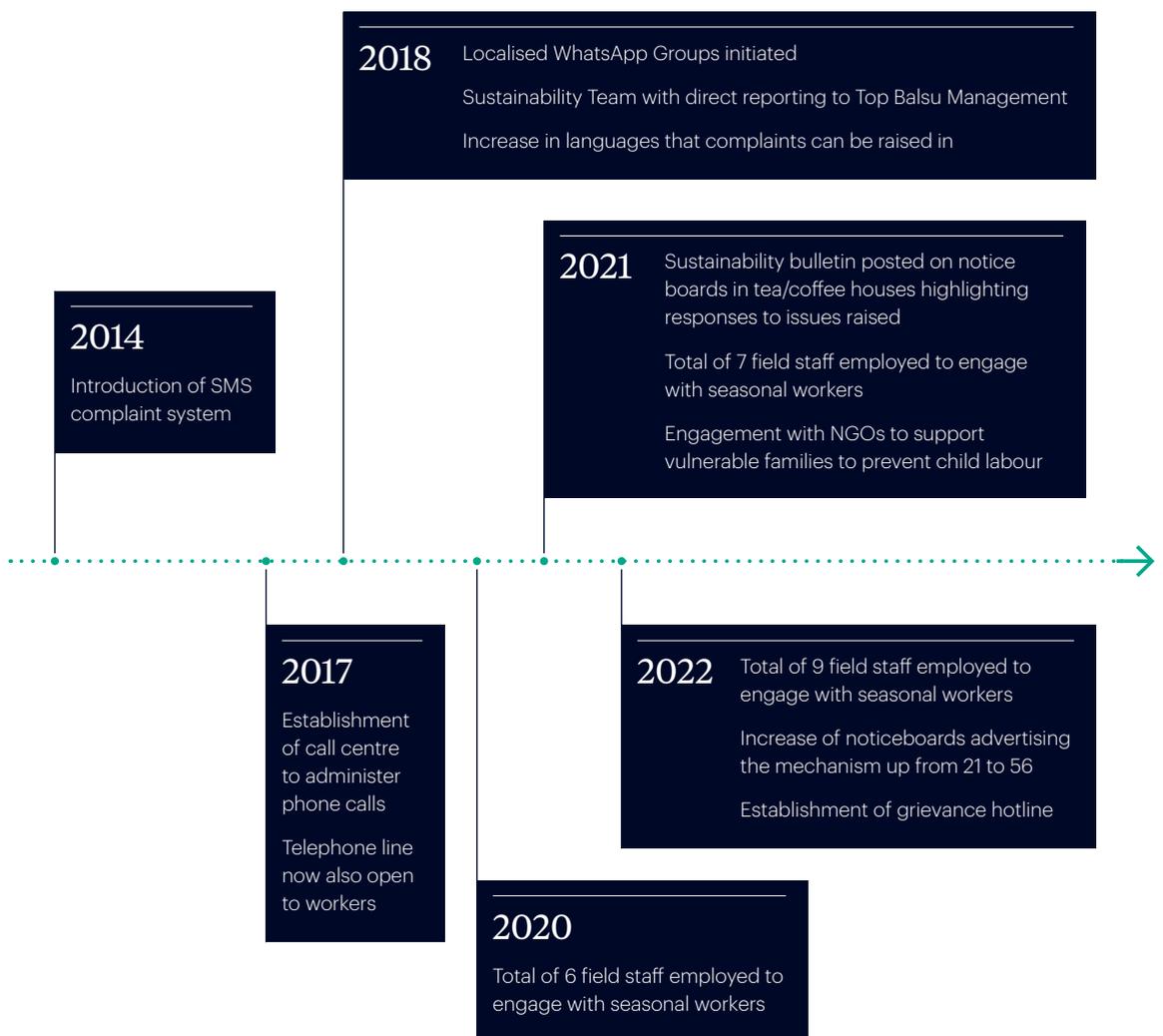
### Introduction

Balsu is a hazelnut processing and export company operating in Turkey, founded in 1979. Balsu's operations consist of factory processing facilities (including a cracking factory) and a group of farmers that produce the hazelnuts. The company also sources in-shell hazelnuts through its six purchasing offices in different locations. Balsu employs 345 workers in its processing facilities and has 2,034 members involved in hazelnut production. Their operations are based across five regions Turkey including Duzce, Sakarya, Ordu, Giresun and Samsun. Balsu have had RA Group certification since 2014, and their total certified hectareage amounts to 151,308 hectares. Their main customers are based in Europe and include Migros, Lindt, Natra and Halba.

### The context of grievance management

In 2017, Balsu began to take steps to improve its grievance mechanism. Prior to this Balsu had operated a text message system for collecting grievances. This was initiated when the company set up a compliance department that year, and then in 2018 when the Sustainability Department began reporting to the company's top management.

Figure 1: **Timeline for grievance and consultation mechanism development**



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Since 2018 the company has initiated a number of improvements to its grievance mechanism, including:

- Introducing more options to stakeholders on ways in which complaints can be raised
- Diversifying the ways in which the grievance mechanism process and outcomes are communicated to key stakeholders, ranging from noticeboard displays, informal discussions, handing out stickers, trainings and workshops.
- Broadening the linguistic capabilities of the grievance mechanism, now covering four key languages – Turkish, Arabic, Kurdish and English.
- Increasing number of staff that have responsibility for complaint case management.
- Engagement with civil society organisations as part of prevention and remediation efforts on child labour.

If stakeholders want to raise a complaint, they can do so through a new, free-of-charge 24/7 hotline. These complaints are handled by specific personnel within Balsu's sustainability team to ensure confidentiality, and this is now seen by many seasonal workers and farmers as a preferred means of raising concerns.

**Box 1: Turkey hazelnut context**

**Challenges:** There are widely reported risks reported in relation to Hazelnut production and seasonal agriculture generally in Turkey. Key risks include child labour, OHS risks, and poor accommodation. Among those most vulnerable are migrants and refugees, particularly women and children.

**Remediation pathways:** Workers can take cases to labour courts and employment tribunals, or may raise complaints to Ministries of Labour and Social Security and of Family and Social Services. However, there is no legal requirement to operate a workplace grievance mechanism or structures for resolving disputes. Whilst workers have the right to join unions, there is very low union density in the agricultural sector due to informality, and the seasonal nature of much agricultural work.

**Remediation in practice:** Research has found that judicial pathways to remedy are difficult for seasonal workers in hazelnut sector to access due to lack of awareness, limited protections if informally employed, and lack of trust in process. Inspection resources are also reported to be insufficient in enforcing child labour laws. Seasonal workers are also reported to be hesitant to raise complaints with employers about their terms and conditions of employment.

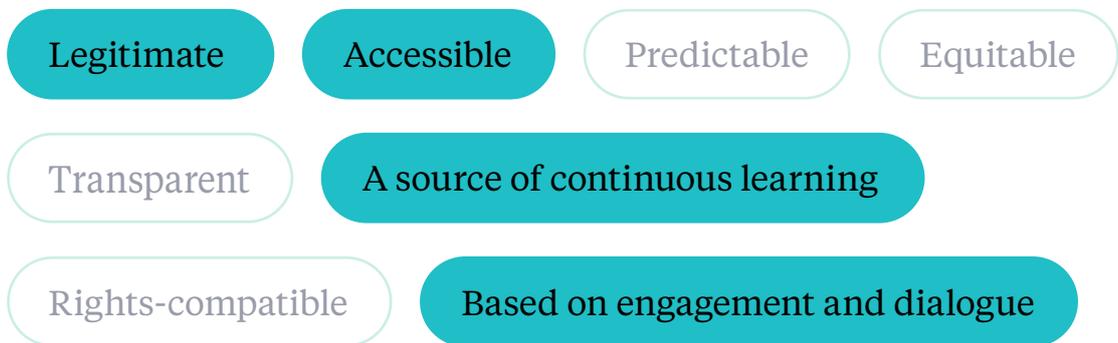
Once a complaint is received, the complainant receives an acknowledgement, and is given an overview of steps that will be taken to investigate. Balsu investigates all reported complaints and takes action to defend the rights of people where there has been a violation of the company's social and environmental standards concerning hazelnut production. Each complaint is logged in Balsu's Quality Management System (QMS), where a record is created and responsibilities given in order to regularly follow up with the complainant. Those responsible are usually 'Social Experts', members of the Balsu Complaint Committee, who are contact points for the complainants.

## Information on Balsu's Grievance Mechanism

| Policy →  | Who can raise complaints →   | How complaints can be raised →  |
|---|--|---|
| <p>Grievance Policy &amp; Procedure, Child Labour Policy and Procedure, Traceability Procedure, Sustainability Procedure</p>  | <p>Employees, contract workers, member farms, community members, farm owners</p>   | <p>Free-of-charge grievance Hotline, WhatsApp groups at village level, through village leaders, SMS messages, complaint boxes in villages, staff in orchards, and internal and external audits.</p> |
| Staff responsible →   | Common complaints →  | Remedies provided   |
| <p>Balsu employs 14 staff with responsibility for handling complaints and human rights issues. This includes nine field staff representatives, and a designated hotline manager. Staff that receive complaints via the Grievance Hotline categorise complaints based on their subject (social, agri-environmental, or governance), which then determines which staff members are responsible for addressing the complaint and follow-up. Any staff member can receive complaints in face-to-face interactions; As with the hotline, the subject of the complaint then determines which staff member will be responsible for addressing the grievance.</p> | <p>Most complaints received from seasonal workers and lead workers (labour intermediaries that receive commission from workers and those workers that bring their relatives to the production area and who do not receive commission). Majority of complaints related to PPE or work equipment. Other notable concerns relate to provision of mobile sanitary equipment. Complaints received from farmers or village heads relate more often to agro-environmental issues as well as pricing issues.</p> | <p>Improved hygiene and sanitation facilities, secured budget for improved PPE, and engagement with municipal authorities to address pest issues.</p>   |

### How the mechanism has improved

Key strengths of Balsu's grievance mechanism against the UNGPs effectiveness criteria



### Balsu provides stakeholders with a range of different routes through which they can raise complaints.

Complaints were previously raised to Balsu through an SMS system that had been set up for use by members, farmers and communities. Then the company began to use WhatsApp groups, whilst informal face to face complaints were also being raised with management. However, the company realised that this was not always the most appropriate means of listening to stakeholder concerns.

Now, in addition to options to submit a written complaint, workers, members, community groups and others can raise complaints through a free-of-charge grievance hotline, WhatsApp groups at village level, SMS messages, complaint boxes in villages, staff in orchards, and internal and external audits. The company says that these changes were primarily informed by ideas put forward by workers employed in the hazelnut orchards. The hotline in particular has proven popular, as it offers stakeholders the option to raise complaints in four languages (Turkish, Arabic, Kurdish and English) and allow for anonymity. This is popular given that many workers are migrants who don't speak Turkish. The hotline enables workers to call a number, choose their preferred language from those mentioned above, and to submit a recording. When a complaint is submitted a designated person is responsible for triaging the complaint and for coordinating the response, including passing on to colleagues in the sustainability department for translation.

To accommodate the additional language requirements, Balsu has increased the number of permanent and seasonal staff involved in engaging with workers in the field. This has seen an increase from 6 staff in 2017 (2 permanent and 4 seasonal) to 9 staff in 2022. Even with the increase, the main challenges faced by these staff are the transaction / time costs in following up and engaging with complainants for more information about the complaints in their preferred languages.

### Given the seasonal nature of Balsu's work, it has been important to make sure that stakeholders are aware of the mechanism, in particular migrant seasonal labourers.

Balsu has undertaken a number of initiatives to raise awareness of these access points and the mechanism more generally. This has included integrating information about the grievance process in worker inductions and in periodic trainings. For example, as part of a series of thirty 90 -minute training programmes in 2021, 45 minutes was dedicated to social compliance and the grievance mechanism. This covered 1,168 farmers . Another approach to raise awareness has been to reach out in person to workers engaged in hazelnut harvesting. This has involved members of Balsu's Sustainability team reaching out directly to seasonal workers in their homes and giving trainings.

One cost effective way of doing this, according to the company, has been for Balsu staff to speak to an individual about the company's social compliance work including the grievance mechanism, and persuading them to relay this information to family members and friends. Another approach, which has required setting aside additional budget, is to visit areas in which seasonal migrants live outside of the harvest season, and to provide education on child labour and other social issues, so that when workers come during the harvest they're aware of how to avoid and prevent instances of child labour occurring.

**“ Before we couldn’t talk when there were problems, now we can... Before, staff would use rude language but we don’t have these problems anymore.”**

— Seasonal Hazelnut Worker

For the hotline, Balsu has also created stickers which include information on the number and process, which can be handed out to farmers, workers and community members. Further, where appropriate and as part of the community outreach, company staff volunteer to enter the information on to the stakeholders phones. Information on the mechanism, including responses to cases, is also shared in village notice boards located in coffee and teahouses. This has increased from 21 noticeboards in 2021 to 56 in 2022.

Part of the success of the various routes into raising complaints is the fact that stakeholders engage with a person and can identify an individual within the company who is trying to resolve their issue. In practice, Balsu has employees working at a community level who complainants can easily access. To try and make these representatives more approachable, the company trains and encourages staff to engage positively and be more approachable to stakeholders.

**Another centrepiece to the legitimacy of the company’s mechanism has been the ability to raise complaints anonymously.**

Within Balsu’s complaints policy, complainants are provided with a guarantee that their information will be treated as confidential, and that the person raising the complaint will be protected from retaliation. However, a challenge that the company has faced is that there is a general fear of retaliation, as the communities in which the company operates are very tight knit.

This means that when people do raise complaints, they need to be investigated very sensitively, which can increase the time taken to understand and resolve the issue. One way that the company has tried to build confidence in the grievance system is by having the anonymity option in the hotline, and by making sure that complaints received through this are only heard by one person, and then only shared with relevant units within the company if appropriate.

**“ Balsu are open and accessible to communication with workers and farmers, and the company provide technical and social support.”**

— Lead Farmer

**“ We like the face to face communication, they [Balsu] are always around to listen to us’**

— Seasonal Hazelnut Worker

**Further efforts to build trust with workers and build up the legitimacy of the mechanism have been the ways in which Balsu has responded to complaints.**

For example, initially workers would mainly use the mechanism to raise concerns related to less salient issues such as poor quality personal protective equipment (PPE). These issues were responded to in a timely manner with clear improvements in provision of PPE, and as a result stakeholders have started

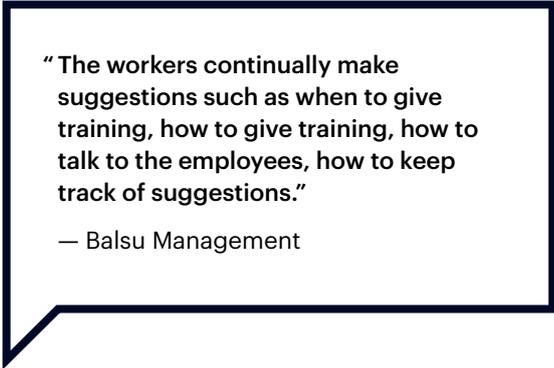
to use the mechanism to raise complaints about more complex issues, such as the provision of child care while families are at work. One seasonal hazelnut worker also mentioned that they call Balsu’s grievance hotline if they’re experiencing an issue with another company in another seasonal sector, to ask for advice on what to do. This means Balsu is extending their limits and helping workers in other posts, and demonstrated that the company has managed to effectively build trust among workers regarding the credibility of their system for handling complaints.

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**Understanding that some human rights concerns require defined responses, Balsu has established specific procedures to respond to key risk issues** and there are procedures for responding to reports of child labour or gender-based discrimination. For example, with regard to child labour, Balsu fully acknowledges the challenge of managing children involved in hazelnut harvesting. Since 2014 the company has carried out monitoring and child protection programmes during the harvest season, and has led trainings, workshops and seminars to raise awareness of the impact of child labour on children. As of 2022, free nursery support is also provided to female employees with children under six years old. At a wider level, in 2021 and 2022, the company has been working closely with NGOs to support vulnerable migrant families and children to prevent child labour, and has also undertaken wider engagement with other producers, suppliers, teachers, government officials etc to share experiences and help find solutions to child labour.

Another approach that Balsu has taken to identify and respond to issues includes working with their committee structures. Since 2021, Balsu has also worked with community-based representatives (generally lead workers or farmers) who represent their region in Balsu's Gender Equality committee, the Complaints committee, or the Evaluation and Steering Committee. There are no fixed community-based representatives, but they are selected and engaged with once Balsu observes a specific issue has come up in a region. For example, the Evaluation and Steering Committee works on issues of child labour, forced labour, discrimination and workplace violence and harassments, and focuses on preventing possible incidents as well as handling cases. Though the grievance mechanism has played a role in addressing complex issues, Balsu's case highlights the importance of undertaking broader initiatives to maintain preventative action or to provide remedy.

This integration with a wider group of stakeholders is seen to benefit those potentially raising complaints to Balsu. For example, the company notes that farmers and workers now come to them when they have an issue that is beyond Balsu's scope but with which the complainant need support, and that the company is seen as an intermediary to smooth the process for escalating issues to local authorities in some cases. Wider engagement on specific issues and on handling grievances has helped Balsu build a mechanism that includes needs and inputs of key stakeholders.



**“The workers continually make suggestions such as when to give training, how to give training, how to talk to the employees, how to keep track of suggestions.”**

— Balsu Management

**This intention to learn, and to improve the mechanism alongside outcomes for complainants is reflected in the approach the company takes to recording grievances.** All complaints are registered and recorded within Balsu's grievance register, where a defined individual is assigned with responsibility for handling the case. This has been developed by expanding out the company's existing Quality Management System (QMS) to incorporate grievance records alongside records on other compliance matters. There is then a requirement to follow up within a short time frame (1 to 2 weeks), and where this is not possible, to develop a long term follow up plan. All steps taken by individuals responsible for managing complaints are to be recorded so that Balsu can track progress. Capturing this data allows the company to highlight that in the last 12 months, 55 complaints have been received through its complaints channels, of which 49 have been resolved and 6 remain open with follow-up being carried out. This is an increase from 22 complaints being raised in 2021, all of which were resolved.

Balsu highlights the important role that auditing has played in improving the company's social management systems. The company have received SEDEX audits from 2013 and RA audits since 2014, and the company notes the role these have played in helping them gain better understanding of what standards must be met, including related to grievance mechanisms. The benefit to Balsu is that they are now seen by many of their customers and certifiers as a good practice example to showcase to peer companies and who increasingly expect strong social performance as a requirement of doing business.

**Balsu openly acknowledges that making the grievance mechanism more effective requires continuous review and improvement.** Despite the above-mentioned efforts in recent years to make improvements, other opportunities to further strengthen the mechanism have also been identified. The company is also aware that international legislation such as the EU and Germany’s supply chain due diligence laws will increase their need improve the mechanism in order to meet customer demands and expectations. This includes:

- Continued engagement with stakeholders to improve awareness and accessibility of the mechanism
- Follow up and sharing of information from complaints mechanism with public institutions for wider learning.
- More transparency and public reporting of the complaints received, for example in company sustainability reports.

**Lessons learned**

Key lessons from Balsu’s work to improve the effectiveness of their grievance mechanism are described below. These may include examples of good practice as well as challenges faced by the company in implementing an effective grievance mechanism. These include lessons relevant to companies at all stages of their grievance mechanism improvement journeys.

|                                       |   |
|---------------------------------------|---|
| <p><b>Step 1:<br/>Initiate</b></p>    | <p>Provide diverse channels through which stakeholders can raise complaints.</p> <p>Make it easy for workers to remember hotline numbers (e.g. distributing stickers, manually putting it on worker phones).</p> <p>Maintain a consistent human face to the grievance mechanism, allowing stakeholders to build trust and relationships with the company</p>  |
| <p><b>Step 2:<br/>Embed</b></p>       | <p>Ensure those engaging on day to day basis at farm level, are trained in how to engage and communicate effectively with stakeholders.</p> <p>Carry out different types of awareness raising efforts to reach different groups and stakeholders that may be affected and within the mechanism’s scope</p> <p>Train staff on the ground to be approachable and to engage positively with stakeholders</p> |
| <p><b>Step 3:<br/>Consolidate</b></p> | <p>Publicly report on number and nature of cases, and the outcomes / remedies provided.</p> <p>Ensure that mechanism is able to handle complaints raised in key languages spoken by the workforce.</p> <p>Take proactive approach to addressing systemic issues, not just relying on responding to individual cases.</p>  |
| <p><b>Step 4:<br/>Lead</b></p>        | <p>Identify routes through which complaints that are not in scope can be addressed, and assist complainants in accessing those.</p> <p>Engage and share learnings with wider group of stakeholders, including relevant public authorities, peer companies, NGOs.</p> <p>Take steps outside of peak season to continue awareness raising among workers and communities.</p>                                |

## 7.5.7 Case study – Plantation crop producer (Malawi)

### Introduction

The Certificate Holder (CH) being looked at in this case study is a Malawian producer of plantation crops with estates in the Southern Region of Malawi. During the main cropping season, the CH employs more than 6,000 employees. This number reduces to approximately half the number of employees during the off season. Additionally, the company is associated with smallholder farmers (“outgrowers”) represented by a smallholders’ association.

Figure 1: **Timeline for grievance and consultation mechanism development**



Grievance reporting has been a part of the company’s Disciplinary Code since 2015, though the grievance channel was not widely accessible to users, including workers and community members. As a result, few grievances were submitted through the channel. At the time, grievances could be submitted through a number of suggestion boxes, as well as raised to and processed by HR or raised directly to supervisors and line managers.

In 2021, CH management realised the company needed to improve their system of grievance management, as it became clear that the mechanism had not been capturing key issues because workers were not using the procedure in place. Attention was drawn to the reluctance of rightsholders to raise grievances on issues that involved their supervisors or middle managers out of a fear of retaliation, signalling the need for further investigation around power imbalances and rights violations between middle managers and workers. In order to address this as well as to comply with the new RA 2020 standard, the company decided to make significant changes to its grievance mechanism.

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**Box 1: Malawi plantation crop production context**

**Challenges:** There are a range of human rights issues reportedly linked to the Malawian agricultural sector, and more broadly the country has been experiencing a humanitarian emergency after cyclones in 2019 damaged outputs in the agricultural sector. Low pay, lack of job security and child labour are noted concerns across the agricultural sector in Malawi. There have also been reports of harassment and sexual violence against female workers on tea farms.

**Remediation pathways:** There is an Industrial Relations Court with jurisdiction over labour disputes, and workers can complain to district labour offices when they are not paid correctly, are unfairly dismissed or when a collective agreement is violated. Community-based complaint mechanisms (CBCM) are also promoted by the government. These systems, that blend both formal and informal community structures, are available at the community level in Malawi and are linked to district and national level systems.

**Remediation in practice:** CBCM implementation is reportedly at a nascent stage of development and there is reportedly ineffective implementation of the laws through other government mechanisms. There is also little information on the implementation of workplace grievance mechanisms across the sector in Malawi.

As a first step, the CH took action to provide immediate safeguards to protect employees. Simultaneously, the company contracted a third-party consultant to provide expert advice to help improve its mechanism. To begin with, the consultant conducted a ground survey – which included worker interviews - to uncover ongoing issues and provide some data to design the grievance mechanism around. The findings of this survey strengthened management's resolve to improve the workplace and put in place more measures. Since June 2021, the company has worked with the third-party consultant to implement a number of substantial changes to strengthen the company's grievance mechanism, with an overarching focus on awareness raising and building confidence among users to use the procedures in place. The company has dedicated extensive resources towards expanding, refining, testing and ensuring awareness of the grievance mechanisms.

## CH Mechanism information

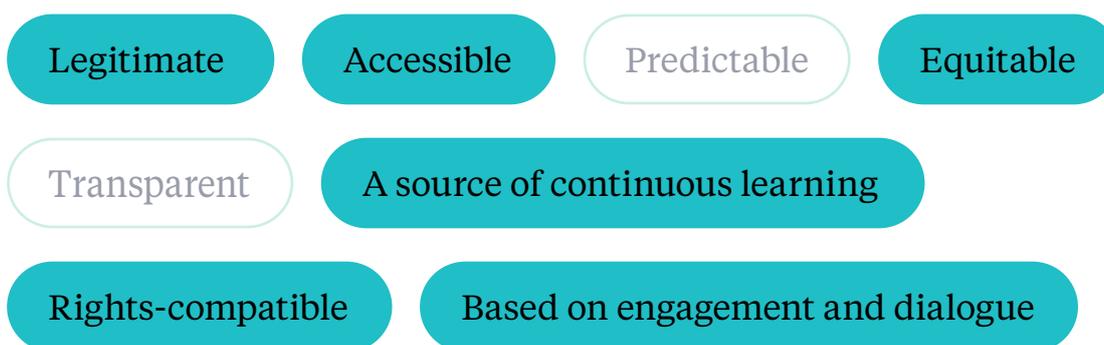
| Policy →  | Who can raise complaints →  | How complaints can be raised →   |
|---|---|--|
| <p>Grievance mechanism policy, Company Code of Ethics, Employee Code of Ethics, Gender Policy (est. 2017), and Recruitment Procedure with strong gender equity focus (est. 2021).</p>   | <p>Permanent and temporary workers, community members, smallholder outgrowers, and other suppliers.</p>   | <p>Via complaint boxes located in every division, at each estate and at the head office; an anonymous reporting structure operated by independent consultant; with grievance committee members; directly to a supervisor or manager; during meetings and training sessions about the mechanism as well as during general team interactions; to focal points and community leaders and to the workers' union.</p> |
| Staff responsible →   | Common complaints →   | Remedies provided  |
| <p>Grievance committees – consisting of elected workers and management representatives, comprising 10 members in total for each committee - at the level of each division across the estates. Because the estates span across two districts, there are also two additional district-level Grievance Committees that division-level Grievance Committees can elevate cases to. Additionally, there is one grievance committee at company level; HR office consisting of 17 staff; and the company's managing director.</p> | <p>Reported high risk complaints include malpractices during recruitment processes, bribery, (sexual) harassment and abuse, non-payment of wages and pay deductions, and issues related to employment contracts.</p> <p>Less severe complaints reported include dissatisfaction with workplace food or drink provided, and interpersonal conflicts between workers or between workers and managers.</p> | <p>Disciplinary actions against perpetrators such as demotion, suspension, or dismissal; referral to external agencies or NGOs for support where the company cannot provide this.</p>  |

## CH Mechanism information

| Reception of grievance and categorisation →  | Grievance handling →   | Resolution and appeal  |
|--|--|--|
| <p>Receiving of grievances via one of eight access points.</p> <p>A severity test is implemented either by grievance committee members or by the anonymous grievance consultants when the grievance is submitted to through this mechanism. The severity test categorises a complaint as high risk (e.g., sexual assault) or medium/low risk (e.g., pay dispute).</p> <p>For high-risk cases, HR puts in place safeguarding measures in place, focusing on removing the worker from the harmful situation and protecting their identity to prevent retaliation. Common measures include handling the grievance anonymously and transferring workers to different teams, work streams, managers or even estates.</p> <p>Timelines for handling of the grievance are communicated to the claimant.</p> | <p>A complaint is handled either within the relevant grievance committee, where a panel is established to hold an investigation; referred to another committee (e.g., a low risk claim regarding hiring practices may move to the gender committee); or escalated to Human Resources (HR).</p> <p>The accused has the right to be represented or accompanied by another staff member and to share their perspective prior to any decision being made.</p> <p>Grievance committees pass on the results of their investigation to HR. The HR team oversees and coordinates all committees.</p> | <p>HR maintains the final approval on disciplinary action to ensure that all labour laws are followed, and that the accused receives fair and impartial treatment.</p> <p>The accused is free to appeal to HR, which can reopen a hearing if deemed necessary.</p> <p>The accused could also access external support from the labour office, the union, or the smallholders' association</p> |

## How the mechanism has improved

Key improvements of the company's grievance mechanism against the UNGPs effectiveness criteria



## One of the company's key successes in increasing the effectiveness of their grievance mechanism has been the broadening of access points through which stakeholders can raise complaints.

One of the first steps that the company took to improve its mechanism was installing new suggestion boxes across the estates and at the head office. Boxes were strategically placed to ensure anonymity and prevent barriers to access, such as travel time. Boxes across all locations can only be accessed through the Human Resources Department and in some cases the Managing Director. In line with the RA standard, management also adopted a new committee structure, and grievance committees were put in place for every division and estate as well as at company level. As a result, workers that wish to do so can easily present their grievances directly to committee members without having to travel far.

**“I have observed that since we have several avenues for presenting our grievances, workers are able to choose the best option to use according to the grievance they have.”**

— Grievance committee member

Management has found the establishment of the anonymous reporting mechanism to be one of the most effective tools for improving the accessibility of the grievance mechanism. This gives individuals raising complaints with the opportunity to talk privately to someone about their concerns, learn about their options for resolving a claim, and receive support and encouragement where needed. When this mechanism was first established in 2021, claimants were directed to the company's HR department. Recently, the operation of the anonymous mechanism was taken over by the

external service provider that the company is working with. The involvement of an independent party in the receiving and processing of grievances contributes to the legitimacy of the procedure and can help to build trust among users. Furthermore, management sees this mechanism as the most accessible way for stakeholders to raise concerns. Using this method also does not require reading or writing, which is useful because of the low levels of literacy among rightsholders in the area. A complainant can report anonymously and is traceable only through the consulting third party, contributing to stakeholders' trust in using the mechanism.

Additionally, while this is not yet explicitly included as an access point in the company's grievance procedure, the HR department frequently receives walk-ins from individuals who wish to report a grievance. This demonstrates the confidence built with rightsholders. As one of the company's first actions to improve the mechanism, it expanded the HR department from 3 to 17 members, spread across the company. Workers mention that it has been important to them to know that they can also raise grievances at the HR offices – having a designated place to report complaints to has served to build trust in the grievance handling process. **Recent company efforts to increase worker awareness of the company's grievance mechanism have reportedly been successful from the workers' perspective.** In April 2021, the company started a campaign to raise awareness of the mechanism among users, distributing bracelets, business information cards and pamphlets with information about the grievance mechanisms to reach as many people as possible. Following the involvement of the third-party consultant and informed by the findings of their ground survey, these materials have since been redesigned for clarity and redistributed. The communication materials now include visual illustrations to cater towards users who are unable to read.

Recurring communication campaigns about the mechanism have been instrumental for raising worker awareness. When a change has been made to the grievance procedure – for instance after the anonymous reporting mechanism was established – the company organises special events to announce these changes to workers. Management has found this an effective way to show workers that the mechanism is a key priority, and it is considered to have contributed to increased use of the mechanism.

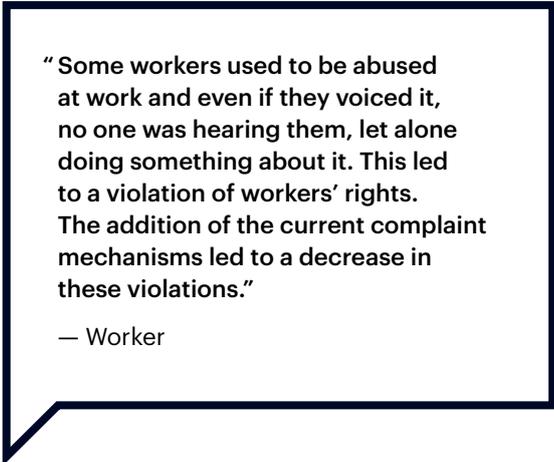
Additionally, while this is not yet explicitly included as an access point in the company's grievance procedure, the HR department frequently receives walk-ins from individuals who wish to report a grievance. This demonstrates the confidence built with rightsholders. As one of the company's first actions to improve the mechanism, it expanded the HR department from 3 to 17 members, spread across the company. Workers mention that it has been important to them to know that they can also raise grievances at the HR offices – having a designated place to report complaints to has served to build trust in the grievance handling process. **Recent company efforts to increase worker awareness of the company's grievance mechanism have reportedly been successful from the workers' perspective.** In April 2021, the company started a campaign to raise awareness of the mechanism among users, distributing bracelets, business information cards and pamphlets with information about the grievance mechanisms to reach as many people as possible. Following the involvement of the third-party consultant and informed by the findings of their ground survey, these materials have since been redesigned for clarity and redistributed. The communication materials now include visual illustrations to cater towards users who are unable to read.

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In addition to one off events, regular and recurring trainings are held with workers to provide them with information about the different grievance channels available to them. These trainings are delivered verbally in the local language, Chichewa. In order to reach those workers that may not have been able to join a training, management may also visit workers' residential areas to make them aware of the reporting mechanisms in place. Additionally, the clerks that are responsible for buying or weighing produce on the estates carry posters with information on the grievance mechanism. If a worker does not understand the information, the clerk can explain the mechanism to them as they have also received training on the mechanisms' functioning. Grievance committee members also explain to their fellow workers what mechanisms are in place and how they can be used.

In addition to raising awareness of the mechanism, management has sought to build workers' confidence and awareness of their rights to empower them to use the mechanism when needed. The company has developed guidelines on appropriate workplace behaviour which every worker should adhere to. Guidelines are communicated through posters at the workplace and include information about malpractices, for example pay deductions and corrupt practices during the recruitment process, and how to report these at the workplace. HR observed that it appears workers now have a better awareness of what is not appropriate in the workplace and are empowered to say that they will report someone to HR when witnessing inappropriate or potentially inappropriate workplace behaviour. While it is difficult to measure this or attribute this directly to a specific intervention, it does signify an important change.



**“Some workers used to be abused at work and even if they voiced it, no one was hearing them, let alone doing something about it. This led to a violation of workers’ rights. The addition of the current complaint mechanisms led to a decrease in these violations.”**

— Worker

**Training and sensitization of company management and staff involved in handling complaints has been a key focus for the company.** Training is a key aspect of the ‘remediation plan’ that the third-party consultancy developed for the company. To date, almost 3,000 employees across worker levels, including both day labourers and middle managers, have been trained on the grievance mechanism, workplace appropriateness, and gender equity and rights. Grievance committee members received extensive training about grievance handling procedures. About 180 of these trainings were delivered immediately at the start of the mechanism improvement process in June and July 2021. Following that, the external consultancy started with an extensive programme of mindset change training that ran from November 2021 to April 2022. Further, the company has a recurring training programme in place that focuses on mid-managers and appropriate workplace behaviour. To make this sustainable in the long term, the external consultancy took a Training of Trainers approach when delivering the training for the first time so that the company's HR staff are now qualified to lead this programme. When a critical mass of new managers has joined, either after recruitment or after receiving a promotion, the company coordinates a training session.

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**Ensuring and communicating that grievances are handled in a confidential way has contributed to workers' trust in using the mechanism, also for raising complaints that relate to issues involving supervisors and middle-managers.** Addressing workers' fear of speaking up was a key priority for the company when improving its mechanism. One of the first measures that the CH took to improve its reporting procedure was to ensure that grievances received in the suggestion boxes could only be accessed by HR and the Company's Managing Director. This was meant to make reporting grievances against middle-managers more anonymous.

Following this, the establishment of the anonymous reporting mechanism created an additional channel for affected rightsholders to voice their concerns anonymously and in a confidential way. High risk cases from these reports are shared only with the Company's Managing Director and Group HR Manager to prevent any middle managers from having access to the information, and potentially retaliating. These cases remain anonymous unless the company requests the complainant's name in order to mitigate risk or settle the case. In that case, the third-party consultants will seek the complainant's explicit consent before sharing any details with the CH. If someone were to file a complaint against HR, the case would be shared with the managing director only. If someone were to file a complaint against the Managing Director or upper management, the external consultancy could escalate the case to the CH's Executive Board.

**Communicating and improving response time has enhanced predictability and served to build trust in the mechanism.** Previously, complaints boxes were collected and opened every month. Now, the company makes efforts to collect and open the boxes every week so that they can provide more timely responses. Additionally, the company has internal timeline controls stipulating how many days can elapse before action is taken for every step of the process. When someone makes a complaint, these timelines are communicated to them at the outset of the process. Similarly, if complainant has raised a concern with a committee member who then escalates the complaint to HR, the complainant receives acknowledgement of submission, and then follow up through the committee. This has served to enhance the transparency of the grievance mechanism.

### Grievance resolution in practice

A worker reported that they were wrongfully evicted from their employer-provided housing at the request of their supervisor. The worker was forced to move out of the estate and rent a house, and as such faced several financial challenges. They decided to complain to management using the complaint mechanism. In the end, the case was resolved, and the worker regained their house. The worker reported that the new mechanism works well, because the complaint was resolved satisfactorily even though it concerned the actions of a supervisor.

**Strengthening worker participation in grievance handling processes has contributed to the legitimacy of the mechanism.** While previously only top management was involved in the investigation of complaints, workers now form part of the grievance committees that are involved in the processing of grievances. Committees are made up of both workers and management, except for one managerial committee which is comprised of only management. Workers are elected, whereas management serve on committees based on mutual consent. While worker committee members are not directly compensated for their work, committee members do receive some indirect benefits, such as lunch or transport allowance.

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Although the company notes that there has been good buy-in from workers, the integration of workers into grievance committees has not been without its challenges. Committee members currently struggle to balance their commitments to the committee and to the daily tasks required by their job. For example, all members of one committee were needed for two to three full days one week, detracting from their normal duties. Going forward, increasing committees' efficiency will be a key priority to make the time commitment manageable with members' other workload. In turn, this could help to generate more interest from workers to serve on the committee and increasing the visibility of the committee's work is also seen as a way to attract new committee members.

**The company's consistent and iterative improvements to its grievance mechanism demonstrate its commitment to the mechanism being a source of continuous learning.** The CH is committed to regularly reviewing its mechanism and updating the procedure when needed. When a new procedure for the GM is released, it is automatically assigned a review date. The current GM will be up for review at the end of 2022, and the company is committed to using recent learnings to adapt the policy if needed. If no changes are considered necessary at a given review stage, this is recorded. Management aims to base improvements of the mechanism as much as possible on data on the use of the mechanism. The company has started using statistics from the third-party anonymous system to analyse trends and identify areas for improvement of the mechanism – for example on the number of cases resolved and complainant satisfaction with the outcomes. While this has not been fully developed yet, the CH is planning to expand further on this in the coming years.

**The CH recognizes that some complaints are best handled by others, or fall outside the CH's scope of influence, and is actively linking its grievance mechanism to external structures.** After observing that the mechanism was receiving complaints that were potentially outside its scope – such as wives of male employees filing personal, non-workplace related complaints – the company decided to develop a new partnership with a local women's rights NGO specializing in access to legal resources and advocacy. Non-employees, or employees with complainants that are not related to the estate, are now actively encouraged to seek support with the NGO, which can provide support in accessing legal resources and communicating with local police.

## Lessons learned

Key lessons from the CH's work to improve the effectiveness of their grievance mechanism are described below. These include lessons relevant to companies at all stages of their grievance mechanism improvement journeys.

|                                |   |
|--------------------------------|---|
| <b>Step 1:<br/>Initiate</b>    | <p>Designing and implementing an effective grievance mechanism can require significant financial investment, but in the long run, the costs of an ineffective mechanism are higher as issues are not captured and addressed, leading to potential case escalation – as well as lower workplace satisfaction and subsequent productivity. Having an understanding of this at management level is key to ensure sufficient senior-level buy-in. In turn, management buy-in is necessary to ensure the availability of resources that are needed to implement substantial changes.</p> <p>It remains important to provide complainants with the opportunity to raise concerns face to face with HR or grievance committee members, in addition to suggestion boxes and an anonymous reporting mechanism.</p>   |
| <b>Step 2:<br/>Embed</b>       | <p>There may be an influx of new users to grievance submission channels at the start, as it is something new and users may want to understand how it works. This is not necessarily a bad thing, as people want to feel comfortable with a new process and understand it for themselves, which will be beneficial in the long term once they want to raise a complaint. It may, however, make it difficult to quantify uptake of the mechanism.</p> <p>While management found the anonymous reporting mechanism to be the most effective improvement to the mechanism, this required significant resource which may not be available to all CHs.</p> <p>Confidential submission boxes, located in convenient and discrete locations and regularly checked by senior management, have proven to be an immediate, very effective and low-cost means to improve the mechanism's effectiveness.</p> <p>To ensure confidentiality and prevent retaliation, it is important that the boxes can only be accessed by senior managers or HR staff that is directly involved in grievance handling.</p> <p>Training can be a key tool for improving the accessibility of the mechanism and creating long-term change. Training can be valuable at all levels: from training for workers on their rights and how to use the mechanism to training for middle-management on appropriate workplace behaviour and mindset change.</p> |
| <b>Step 3:<br/>Consolidate</b> | <p>Communicating changes to the grievance mechanism and procedure not in regular communications, but in special events that are specifically organised for this purpose can be an effective way to demonstrate to rightsholders that the mechanism is a priority and contribute to its use.</p>   |
| <b>Step 4:<br/>Lead</b>        | <p>Implementing an effective grievance mechanism is more than deciding about the best design and procedure at the outset; it is process of continuous learning that requires regular evaluation and updating of the mechanism.</p>  |

## 7.5.8 Case study – SPAD N’Douci (Côte d’Ivoire)

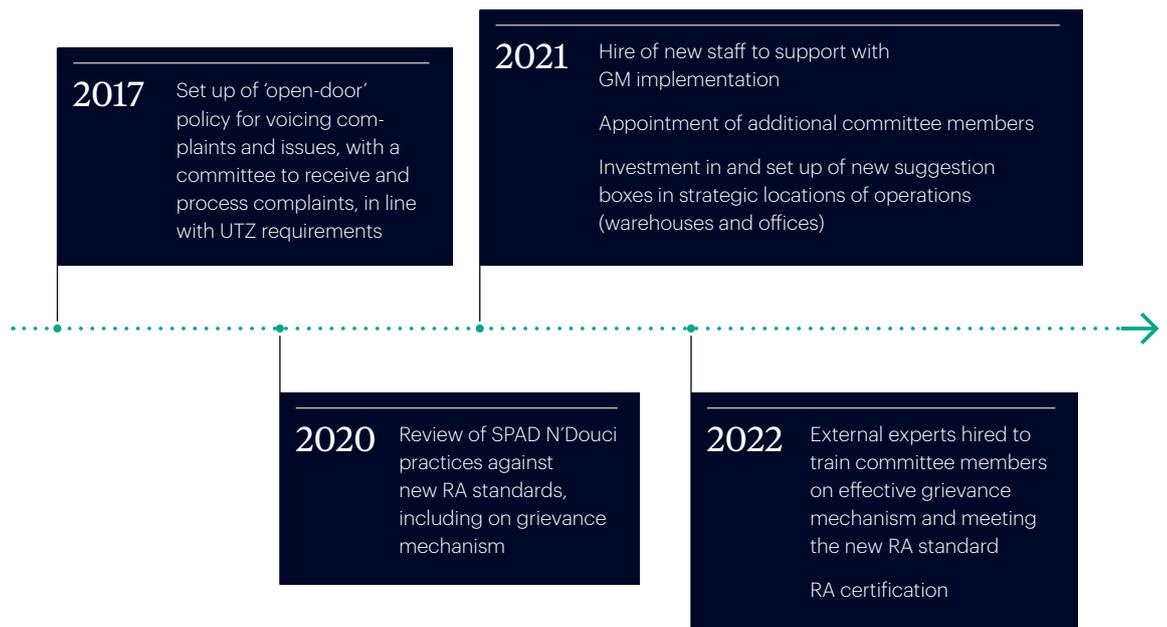
### Introduction

SPAD N’Douci is a group of 985 cocoa and coffee producers in the N’Douci and Tiassalé districts in Côte d’Ivoire. The group was founded in 2017 and is part of and managed by a cooperative that is a subsidiary of SPAD, a local trader headquartered in Daloa (Côte d’Ivoire). The aim of setting up SPAD N’Douci was so that the parent company had a subsidiary that produced certified cocoa in N’Douci and Tiassalé districts. SPAD N’Douci first held UTZ certification for its production of cocoa and has recently been in the process of moving to RA Certification, which it received in September 2022. SPAD N’Douci produces certified cocoa over a surface of around 3,000 hectares, selling primarily to the Société de commercialisation de café et cacao (S3C). In 2020, the group produced around 856 tonnes of certified cocoa.

SPAD N’Douci employs around 26 workers (3 permanent and 23 temporary) in its collection and transport operations and has around 20 employees in the main office. Some members also work with hired workers, but specific data on this is limited.

### The context of grievance management

Figure 1: **Timeline for grievance mechanism development**



When SPAD N’Douci formed in 2017, their grievance mechanism constituted an open-door policy, whereby the main avenue for submitting a complaint was to raise it verbally with direct managers and intermediary collectors (delegates). Although the grievance mechanism had a committee in place, issues were resolved through managers and producer representatives. However, through conversations with their members, group management realised that this was not sufficient to deal with complaints. The feedback they received was that the system created a risk of complainants being retaliated against as they did not have an option to raise complaints anonymously, and that there were possible risks of subjective treatment if the issue was being dealt with by an individual or a manager without a defined process to follow.

As a result, the company introduced suggestion boxes across prominent locations, and enlarged its complaints committee to provide better representation of its user groups. Likewise, as part of its application to obtain RA certification, SPAD N'Douci conducted a review of its grievance mechanism against the new RA standard and identified key areas for enhancement to meet RA's requirements. Based on the review, the group identified key actions to take forward in enhancing their grievance mechanism:

- Develop written forms to capture complaints
- Set up complaint boxes to increase accessibility of the grievance mechanism
- Provide an option for submitting complaints anonymously
- Formalise structures and processes of the grievance mechanism, including strengthening the existing grievance committee by assigning a number of additional key roles, for example a gender representative.

SPAD N'Douci has implemented these recommendations, and now, once a written complaint has been received, this is supposed to trigger a committee meeting in order to investigate and assess the complaint, as well as propose solutions such as mediation, remediation, reconciliation or other appropriate resolutions. Verbal complaints are predominantly processed by informing the Internal Control System (ICS) Manager who chairs the grievance committee. They are responsible for investigating and resolving the complaint directly with the complainant and their representative.

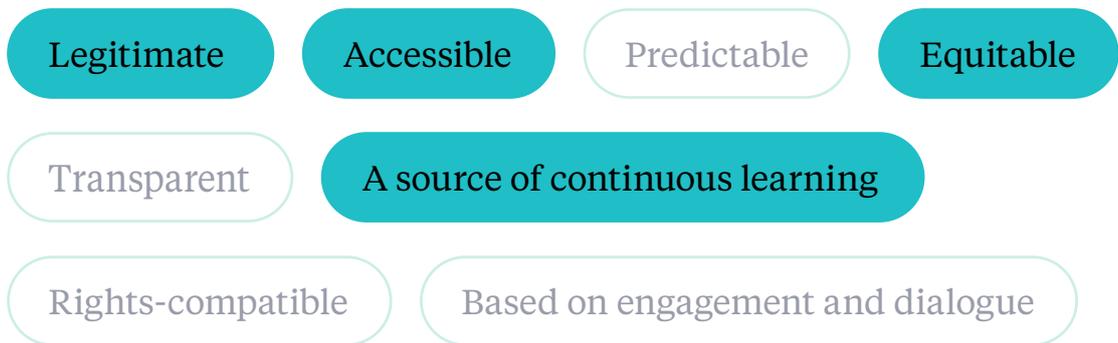
The mechanism is open to a variety of users, including group employees, members, as well as any other workers engaged in relevant activities of the group and its members.

#### CH Mechanism information

| Policy →   | Who can raise complaints →  | How complaints can be raised →  |
|--|---|---|
| <p>“Procédure de gestion des plaintes et conflit d'intérêt” (Complaints management procedure)</p>  | <p>Group members, employees, agricultural, collection and transport-related workers, community members</p>  | <p>Complaint boxes: set out in each cocoa-collection warehouse (near the farms) as well as one in the main warehouse, and one near the group management office; Verbally: to supervisors, managers, grievance committee members, and worker or group member representatives</p> |
| Staff responsible →  | Common complaints →   | Remedies provided   |
| <p>ICS manager is the main individual responsible for the GM.</p> <p>Grievance committee, which includes – in addition to ICS manager:</p> <ul style="list-style-type: none"> <li>• General manager</li> <li>• Internal trainers (staff members who provide technical support to producers)</li> <li>• Delegates (intermediary collectors / buyers between the group and members – main producer representatives at the group level)</li> <li>• Gender representative</li> <li>• Worker representatives</li> </ul> | <p>From group members: payments of premiums; land and other disputes related to natural resources; producers appealing to being excluded from membership because they are producing in protected areas, and lack of agricultural inputs such as fertilizer.</p> <p>From employees and workers: working conditions, withholding / reduced or delayed wage payments</p> | <p>Resolution is primarily through immediate response and mediation with the complainant, and ensuring, where possible that the issue is resolved (for example, paying wages or premiums).</p>  |

### How the mechanism has improved

Key improvements of SPAD N'Douci's grievance mechanism against the UNGPs effectiveness criteria



**Providing additional channels to raise complaints, such as complaint boxes in a variety of locations, has ensured better accessibility of the grievance mechanism to a wider number of intended mechanism users. This includes producers and workers. It has also been an important step in building trust among rightsholders in the group's efforts to safeguard confidentiality and anonymity.**

To make the mechanism more accessible, the group installed complaint boxes and forms at each of the cocoa collection warehouses near the plantations, as well as two complaint boxes where the main office is located. These boxes are meant to collect mostly anonymous complaints through written forms. Individuals can still submit verbal, non-anonymous, complaints through a supervisor or manager, as well as committee representatives.

With these new suggestion boxes, group management hopes to demonstrate their commitment to ensuring confidentiality and help build trust with users. The use of boxes reinforces the ability to capture anonymous complaints that could have been hard to raise with the previous system where complaints could only be raised in person to a management team member. SPAD N'Douci also is committed to reducing fear of repression or instances of retaliation. Although requiring some resources to set up, the implementation of complaint boxes is seen by management as a relatively straightforward but impactful step in strengthening the GM.

**Establishing a more representative group of committee members is aimed at broadening the legitimacy of the mechanism among stakeholders. Whilst SPAD N'Douci's committee is yet to receive a formal grievance since it was established, the goal has been to make sure that the mechanism's intended users have adequate representation, and that key issues can be adequately addressed, for example those related to gender discrimination or sexual harassment.**

In order to diversify and ensure representation of all types of stakeholders that may want to raise complaints, SPAD N'Douci also hired new staff and invited new members, including worker representatives, to sit on a grievance committee. Since its formation in 2017 the committee has increased from 15 to 28 representatives, which includes: ICS (Internal Control System) Manager, the group Manager, a gender representative (the first and so far only woman on the committee), 7 delegates, 16 internal trainers and 2 workers representatives - 1 representing drivers and 1 representing warehouse workers. Ensuring better representation has also been important to make sure that a wider range of users feel more comfortable raising issues verbally, particularly workers who now have dedicated representatives.

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SPAD N'Douci's hope is that by including a wider array of representatives on the committee and increasing the ways in which complaints can be raised, that this will encourage a broader group of stakeholders to access to the mechanism. This is particularly important for individuals who did not previously trust the mechanism including those who may have been afraid to raise issues with their supervisor or manager, such as women or workers.

Whilst the committee provides structure to the grievance management process, issues are still predominantly being raised to individual managers. In these instances, both workers and producers indicate that they feel listened to when they share their complaints, and that group management are responsive and will work quickly to resolve the issue. In addition, users have indicated that they are generally more comfortable with sharing complaints verbally, as filling in forms of relative complexity is a significant challenge for producers or workers with limited literacy. Having a broader array of individuals users can reach with their verbal complaints is therefore likely to be important in making sure the committee is a channel that users are comfortable with. Further, the group recognises the need to build awareness from a broader group of intended users to ensure more stakeholders can make use of the grievance mechanism and have their concerns heard through the formal mechanism.

**“To build acceptance, we have included the gender representative in decision-making with other men in the group and she has also led certain activities. Today, I think that she is well accepted by everyone.”**

— ICS Manager

**To improve the representativeness of the grievance committee among women members, workers and community members, SPAD N'Douci introduced a female representative on to the committee.**

One of the key challenges was gaining acceptance among other committee members of a new female representative focused on gender related matters. At first other members found it difficult to accept her and challenged her authority. The ICS manager persevered on this issue by training people on the importance of gender inclusion to ensure women would feel comfortable raising issues, and to have an

avenue for specific issues to be raised, for example on sexual harassment or discrimination. In addition, to further ensure the gender representative was accepted among her peers within the grievance committee and within the group management, the ICS manager involved her in various decision-making and group leadership activities. Doing this has increased awareness on the importance of gender inclusion and has encouraged all group members and participants to accept that women can also be involved in these types of roles and activities

**Finally, the main driver towards improvement of the grievance mechanism has been the update to the RA standard on grievance mechanisms. As producing certified cocoa is a core function of the SPAD N'Douci, and to provide the resulting attractive proposition to their customers, the group are focused on the need to be aligned with RA certification requirements.** Further, the group's senior

management was convinced of the benefits that would come from this. Additional buy in from senior management to aligning the mechanism with RA standards has been reinforced by the

ICS manager, who has an essential function in translating RA's requirements into practical actions for the group and its producers. Having such a single point of responsibility and translation into practice has further been crucial in supporting improvements on inclusion, and acceptance of a woman in leadership and decision-making within the group.

**“The recruitment and training of new committee members was relatively expensive, but it helped us align with the RA standard to improve the effectiveness of the GM.”**

— ICS Manager

The result of having senior leadership buy-in, has been support for making financial investments into the mechanism. This investment has amounted to around 7,843,000 FCFA (€ 11 843), of which the most expensive outlay has been on hiring new staff members for the GM committee. This was expensive as it was a more complex task that required at least 3 months as well as resource – to recruit, train and assign – to complete.

The training was conducted by a consulting firm that was hired to build the capacity of committee member and group management on effective handling of complaints. The training was well received by committee members who feel they now better understand the importance of having an effective GM, the specific components an effective GM should include, as well as gain an overall better understanding of the new procedures the group has put in place following the GM review.

## Grievance resolution in practice

A common complaint received by SPAD N'Douci's mechanism relates to members appealing the group's decision to exclude them from co-operative membership because they are alleged to produce in protected areas. Farming is not allowed in protected forests or areas which are monitored, managed and restored by a number of national stakeholders, such as SODEFOR (Société de développement des forêts, which manages over 200 forests in Côte d'Ivoire) and the Ministry of Forestry.

Sometimes members appeal their exclusion on the basis that they are not producing cocoa in protected areas. In such cases, the group sends its internal trainers or external service providers to re-collect data to verify with Geodata tools whether the member is correct. If the member is correct, the group cancels the exclusion. Should the data confirm that the members' farm is indeed located in a protected area, the group informs the member and maintains their exclusion. Another possible solution is for the member to stop producing cocoa in the protected area. If they have another farm outside of the protected area, they can then be reinstated as a member.

**Although SPAD N'Douci's grievance mechanism is at relatively early stage of maturity, the above steps have been significant towards further increasing the effectiveness of the mechanism.**

Further, SPAD N'Douci understands and recognises that this is a step towards improving, that there is the need to learn to make further improvements. The key next steps will be around implementation measures to build awareness, trust and further accessibility of the GM, including:

- Raise awareness among all intended users so that they begin to submit cases through the complaint boxes, and conduct additional engagement and dialogue with intended users like workers and community members who do not currently use the GM.
- Clarify the type of complaints and channels which need to be investigated and resolved through the grievance handling committee, so relevant verbal complaints are also handled through the formal procedure.

**"It takes time for change to come, the approach must be revisited and adapted while awareness raising is further built with GM users."**

— ICS Manager

## Lessons learned

Key lessons from SPAD Ndouci's work to improve the effectiveness of their grievance mechanism are described below. These may include examples of good practice as well as challenges faced by the company in implementing an effective grievance mechanism. They include learnings relevant to companies at all stages of their grievance mechanism improvement journeys.

|                             |  |
|-----------------------------|--|
| <b>Step 1:<br/>Initiate</b> | <p><b>Building an effective GM requires significant investment of time and resources, and therefore will be best supported by leadership buy-in.</b> Although certain steps are more costly or more complex than others, having leadership buy-in from the early stages ensures the appropriate financial and capacity resources are invested into the design and continuous improvement cycle of the GM.</p> <p><b>External expert support in the development of the GM early on can help design a system that will work best for the context,</b> and help with capacity building on implementing effective GMs.</p> <p><b>It can take time to build trust with stakeholders,</b> so it is important to provide a range of avenues users can take to raise complaints (verbal, written, etc.), as well as have a communication strategy that demonstrates to users the advantage of using the mechanism, whether through awareness raising, dialogue, and other forms of engagement with intended user groups.</p> <p><b>When setting up formal structure and procedures, it is necessary to initiate engagement and dialogue with intended users at the same time as a first step of awareness raising,</b> even if it starts with smaller, less formal conversations with potential users to explain the mechanism and process that is being set up. This will also help ensure the channels and format of the GM are appropriate for the intended users and aligned with their expectations.</p> <p>Ensure managers and individuals responsible for the grievance mechanism understand that receiving or having an initial increase in complaints through a newly developed mechanism is an indicator of success.</p> <p>Individuals investigating or managing the complaint need to be independent without conflicts of interest with the complaint or complainant.</p> <p>Complaints channels need to be user appropriate: it is important to understand the intended user groups and the types of channels they will be most likely and most comfortable to use to share concerns. For example, if users are more comfortable with voicing their concerns verbally, ensuring there are such channels is important.</p> |
| <b>Step 2:<br/>Embed</b>    | <p>When changing the means through which complaints are raised, note that users may want to continue to raise complaints through most familiar procedures – in this case, raising directly with a supervisor or representative - until they have gained sufficient trust in the new processes.</p> <p>Develop a protocol for recording all relevant complaints raised through formal and informal grievance channels. This includes those that are raised verbally. This is an important step to bridge between earlier and newly created forms of grievance raising, from directly raising to a supervisor, manager or representative, to raising anonymously through suggestion boxes or new channels managed by third parties.</p>  |
| <b>Step 3: Consolidate</b>  |  |
| <b>Step 4: Lead</b>         |  |

