

GUIDANCE E

Grievance Mechanism

Version 1



**RAINFOREST
ALLIANCE**



Translation Disclaimer

For any question related to the precise meaning of the information contained in the translation, please refer to the official English version for clarification. Any discrepancies or differences in meaning due to translation are not binding and have no effect for auditing or certification purposes.

More information?

For more information about the Rainforest Alliance, visit www.rainforest-alliance.org or contact info@ra.org

| | | | |
|---|--------------------------|--|----------------------|
| Document Name: | | Document Code: | Version: |
| Guidance E: Grievance Mechanism | | SA-G-SD-6-V1 | 1 |
| Date of first publication: | Date of revision: | Valid From: | Expires by: |
| December 31, 2020 | N/A | December 31, 2020 | Until further notice |
| Developed by: | | Approved by: | |
| Rainforest Alliance Department Standards and Assurance | | Director of Standards and Assurance | |
| Linked to: | | | |
| SA-S-SD-1-V1.1 Rainforest Alliance 2020 Sustainable Agriculture Standard, Farm requirements SA-S-SD-2-V1.1 Rainforest Alliance 2020 Sustainable Agriculture Standard, Supply Chain Requirements SA-S-SD-5-V1.1 Annex S4: Rainforest Alliance Remediation Protocol | | | |
| Replaces: | | | |
| N/A | | | |
| Applicable to: | | | |
| Farm certificate holders | | | |
| Country/Region: | | | |
| All | | | |
| Crop: | | Type of Certification: | |
| All crops in the scope of the Rainforest Alliance certification system; please see Certification Rules. | | Farm certificate holders, Supply chain certificate holders | |



Table of Contents

| | |
|---|----|
| Purpose..... | 4 |
| Introduction..... | 4 |
| Requirement 1.5.1..... | 5 |
| What is a grievance mechanism? | 6 |
| What are the benefits? | 10 |
| Getting Started | 11 |
| Overview..... | 11 |
| Setting up the Grievance Committee..... | 11 |
| Engaging with stakeholders | 14 |
| Setting up the complaint mechanism..... | 15 |
| The procedure | 20 |
| Overview..... | 20 |
| Procedure steps | 20 |
| Grievance Mechanism Indicators..... | 26 |
| Overview..... | 26 |
| Indicator list..... | 27 |



PURPOSE

This guidance is an advisory document written for Management and the Grievance Committee and it contains recommendations on how to set up an operational grievance mechanism at the certificate holder level.

Setting up an effective Grievance mechanism allows certificate holders to hear directly about issues of concern from any people or organizations affected by their activities, for example, workers, community members, unions, NGOs, other businesses, buyers, and other stakeholders. By resolving these complaints, swiftly and fairly, the mechanism will drive continuous improvement.

Operating a functional grievance mechanism is Core Requirement 1.5.1 in the 2020 Sustainable Agricultural Standard. It is also central to the Assess-and-Address process of remediation, set out in Core Requirement 5.1.4 and in the Remediation Protocol.

The Rainforest Alliance requirement to provide a grievance mechanism draws on the ILO Examination of Grievances Recommendation 1967 (No.130) and the Access to Remedy pillar of the UN Guiding Principles, in particular Principles No.29-31.

INTRODUCTION

Requirement 1.5.1 of the Rainforest Alliance Sustainable Agriculture Standard requires large farms, group management, individually certified farms, and Supply Chain operations to have a grievance mechanism in place.



REQUIREMENT 1.5.1

Core Requirement

Applicable to: *Large farms part of a group, Group management, Individual certificates holders, Supply Chain Certificates 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 labor 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

Assess-and-Address Committee (if applicable): see 5.1.1

Gender Committee/Person: see 1.6.1



Definition: grievance

"A grievance is a complaint or concern by any person about another person's or organization's actions or about its rules and policies that have negatively affected the complainant. " See *Glossary, Annex 1*

What is a grievance mechanism?

A grievance mechanism allows people to make a complaint to a business so that any harm done to them by the business can be put right.

A *grievance mechanism* enables people and organizations who are affected by specific business activities and/or operations of any nature, to report and explain grievances, or issues of concern. In response, the certificate holder or their subcontractors and service providers, investigate the issue and if the grievance is confirmed, they fairly and quickly ensure remedy for these issues. For the mechanism to work, people must know about it, trust it, and be able to use it.

Definition: grievance mechanism

"A process through which individuals, workers, communities, and/or civil society organizations (including whistle-blowers) can raise their complaints of being negatively affected by specific farm or business activities and/or operations . A grievance mechanism may be formal or non-formal, legal or non-legal. It includes the steps of submission of the complaint, treatment, remediation, and monitoring." See *Glossary, Annex 1*

A *grievance* is a complaint or concern raised by any person or organization about how the actions, rules, or policies of a certificate holder, or its subcontractors, service providers, and labor providers, are negatively affecting them. A grievance is not limited to workforce issues; it can be about any topic linked to the activities of the certificate holder, such as road access, dust pollution, crop yields, sanitation, traffic accidents or pesticide use. Typically a grievance is raised because the responsible parties have not acknowledged or resolved the issue appropriately. The table below shows some examples of the types of grievances that certificate holders may encounter from different stakeholders. Actual grievances will depend on many factors in the context where the certificate holder operates.



| Person or organization | Example grievance |
|--|--|
| Community leadership | We have been complaining for a year about farm wastewater contaminating the river, but no one is listening or taking action. |
| Buyer | The product is never delivered on time and I keep losing money as a result – I have to hire extra workers to unload and process the delivery. I want compensation for my costs. |
| Expert stakeholder | I'm a child protection expert supporting the farm remediation process, but the Assess-and-address committee ignores all my recommendations, which means children are at risk. |
| Trade union or worker committee | Migrant workers are being kept unfairly on temporary contracts to avoid paying them a decent wage and benefits. The union has raised this with management and Human Resources three times in the last year, but nothing changes. |
| Farmers | The truck drivers that collect our certified products are not very careful about segregating certified and non-certified products. We've pointed it out to Group management so many times, but it's just the same. |
| Workers | Farm management never consults with workers on the Sustainability Differential. We complain every year through the union, but we are not involved. |
| Women farmers | We can't attend training sessions because they are held too far away and we have to look after our children. We've asked Group management to organize childcare to make it easier, but they refused. |
| Local business owner | I have a shop near the plant entrance selling fruit and vegetables. There are big trucks coming to the plant and it makes the road dusty which dirties my produce. Also, the road is quite narrow and when the trucks turn, it puts my customers at risk. I've told the plant management but they said there is nothing they can do. |
| NGO | We are concerned about how the farm's policy on pesticide and fertilizer use is affecting soil health. We've tried to collaborate with the farm so we can share expertise and work together to improve the situation, but they are not responding. |

Figure 1. A non-exhaustive list of examples of grievances.

A grievance mechanism is *formal* because it involves an appointed committee that follows set procedures within a given time-frame and who document each grievance resolved. At the heart of an effective and trusted grievance mechanism are the principles of fairness, sensitivity and dialogue.

For any business, engaging and communicating regularly with workers and people who are affected by their business activities and/or operations is the simplest and most direct way to understand concerns and to resolve any problems.



CASE STUDY: Unsafe pesticide use on a large farm

Accessing the mechanism

Mary is an experienced farm worker and she is worried because newly hired workers are being asked to spray pesticides without training or protective equipment. She has pointed this out to her supervisor a number of times, but nothing has changed.

Mary knows about the grievance mechanism because committee members visited the farm as part of their awareness-raising activities. There is also a poster about the grievance mechanism in the women's toilet. The poster gives a mobile phone number and explains that people can either call or send a text. Mary sends a text explaining her concerns.

Making a complaint

Mary receives an acknowledgment of her text, and on the same day, she receives a phone call from the grievance committee member who is assigned to manage her grievance.

The committee member explains that Mary's grievance is confidential and sets out what the committee will do to investigate and when. The member asks Mary if she would like to involve anyone else to support her through the process, and Mary says this is not necessary.

At the end of the call, the member reminds Mary that her complaint is confidential and that it is not necessary to share her identity with management to address the issue. The member keeps Mary regularly informed about what they are doing and when.



Investigating the complaint

When the Grievance Committee investigates to establish what has happened, the farm manager explains that the person who used to manage pesticides at the farm left six months ago and she has not found someone qualified to replace him. She is short-staffed and so there is no one qualified to supervise the pesticide spraying. An interview with the professional who conducts the site health and safety risk analysis, as well as a site visit and review of risk documentation, confirm the concerns Mary has raised.

Resolving the complaint

The committee works with the farm management, the health and safety professional, the health clinic, and a local agronomist to remedy the situation and to identify a solution to the root cause of the problem. Together they agree on the following steps as part of the remediation plan:

- They take immediate action to ensure that workers exposed to pesticides receive a health check and medical treatment if necessary.
- They train workers on safe pesticide use, including a "training of trainers" approach so that supervisors and experienced permanent workers are qualified to re-train new hires.
- They ensure the farm has sufficient protective equipment.
- They train all management and the health and safety professional on safe pesticide use and how to improve the quality of their health and safety measures (5.6.1.).

The committee member tells Mary how they are resolving the issue, explaining the steps set out in the remediation plan, and asks for her input. Mary suggests they make sure that women workers are included in the training, and as "trainers of trainers."

The committee member regularly liaises with the people responsible for the steps in the remediation plan and checks they are being implemented on time.

The member informs Mary about progress and asks whether she is satisfied that her grievance has been addressed. The member thanks Mary for raising the complaint and thus ensuring the farm receives the support it needs to comply with the farm standard.

When the complaint is closed, the Grievance Committee reviews all the documentation of the grievance process and discusses what could have been done better. They agree they need to include a regular question in their remediation plans to check that their proposals are gender-sensitive.



What are the benefits?

For a business, a grievance mechanism is an *early warning system*, helping to identify when things go wrong at a site, and when normal methods of identifying and resolving issues are not working. When managed impartially, and rooted in dialogue and mediation, a grievance mechanism can help remedy harm. It can also prevent problems from escalating including from being exposed in the media or through law enforcement actions.

- By identifying challenges to the business, the grievance mechanism is a key tool in the monitoring, inspection, and audit toolkit.
- By identifying complaints that have not been remedied, the mechanism enables the business to put right any harm done.

If someone makes a complaint to a grievance mechanism, there are three practical ways this can benefit the certificate holder's business and their certification efforts:

1. **Remedy:** it will identify people who may need remedy because they have been harmed as a result of business activities.
2. **Scope:** it will identify a problem that may affect more people, or signal a more systemic challenge, and which it is now possible to address and prevent from escalating.
3. **Continuous improvement:** it contributes to ongoing efforts to continuously improve management of the site.

In combination, these three benefits – remedy, scope, and continuous improvement – can save the business time and resources and improve efficiency. A functioning grievance mechanism can be the difference between remedying minor wage errors affecting a few workers and facing a business-wide worker protest.

| Issue | Remedy | Scope | Continuous improvement |
|---|---|---|---|
| Two workers complain that their wages are not paid on time, and they receive less than promised. | Ensure the plant pays both workers missing wages, and future payments are made on time. | Investigate whether this issue affects other workers and why. | After identifying the root cause of the problem, work with this plant (and others if necessary) to improve wage payment systems. |
| One community household complains that livestock has been killed by farm trucks transporting farm supplies at harvest time. | Ensure the farm compensates the household for the loss of livestock | Investigate whether more households are affected and why. | Working with the farm truck drivers, identify how to improve road safety, and raise awareness in the community about livestock safety near roads. |

Figure 2. Examples of benefits resulting from complaints made to a grievance mechanism.



GETTING STARTED

Principles of an effective grievance mechanism

Core Requirement 1.5.1. is based on UN Guiding Principle No. 31, which states that to be effective, a grievance mechanism must be:

- *Legitimate*: users trust it.
- *Accessible*: users know about it and are able to use it.
- *Predictable*: users know what happens and how long it takes.
- *Equitable*: users have access to necessary information, expertise and advice.
- *Transparent*: users are given clear information about what is happening.
- *Rights-compatible*: decisions are compatible with international human rights.
- *Continuous learning*: individual complaints are analysed to help prevent other grievances.
- *Engagement and dialogue*: stakeholders help to design the mechanism with dialogue, the key to addressing and resolving grievances.

The Grievance Committee is responsible for establishing the grievance mechanism. It is the body that receives and investigates grievance complaints, as well as ensuring that remediation is provided.

Selecting Committee members

To have a grievance mechanism, it is necessary to appoint a committee responsible for establishing the mechanism, and for investigating, resolving, and documenting complaints received. Members of the Grievance Committee have to deal responsibly with sensitive and serious issues. This is why the Standard sets out criteria for the composition of the committee and the qualities of its members.

To set up the committee the certificate holder must do the following:

1. Ensure the committee is representative by:
 - Appointing a member of management.
 - Asking either workers, or group members, to select their own representative.



2. Ensure committee members meet the selection criteria in order to do their job effectively: they are knowledgeable about the business and typical grievances, impartial, accessible, and gender-sensitive.

Being gender-sensitive means: Gender norms, roles, and relations are considered and actions are taken on the basis of that understanding aiming to eliminate inequalities and promote gender equality.

Being impartial means: not taking sides in a grievance; treating all participants equally and fairly.

Use the best practice checklist of questions to check that committee members meet the criteria:

- Are members knowledgeable about certificate holder activities and about local, affected communities?
- Have members completed, or agreed to complete before joining, the Rainforest Alliance online training on Assess-and-address, gender, and on the grievance mechanism?
- Are members considered impartial by management, workers, members and the community?
- Are members approachable and easy to contact for management, workers, members and communities?
- Do members understand the role that gender may play in the local context and do you have women as well as men on the committee?
- Do members understand what it means to be impartial and how a conflict of interest could affect their decision-making?

Other issues to consider when selecting committee members:

- **Dialogue not judgment:** it is important that committee members understand their role is to investigate and resolve complaints with emphasis on mediation and dialogue, as opposed to judgment and punishment. It may be useful to run through various scenarios to underscore the benefits of this approach.
- **Impartiality and confidentiality:** being impartial and respecting confidentiality is essential if committee members are to be trusted. Use training to explain how conflicts of interest can damage fair process, and why protecting privacy makes the grievance mechanism work.
- **Administrative skills:** committee members need to be precise about the procedure they follow, timings and how they document complaints. Make sure the people selected are aware of this responsibility and have the relevant skills. This is especially important for the members who perform the role of coordinating the committee's work; for example, it is advisable to appoint a member to be the committee secretary.
- **Number of members:** consider how many people are necessary to ensure the committee is effective. There must be a minimum of two people on the committee. It is advisable to have more members so that the committee still functions if one person has to temporarily stand down due to a conflict of interest.



Impartiality and conflicts of interest

In a small team, it can be difficult to avoid conflicts of interest as committee members may know or be related to the parties involved, or have a direct interest in the outcome of the complaint or have strong views.

In order to maintain trust in the fair decision-making of the committee, there are a number of best practice steps to take:

- Ensure that committee members complete the training on the grievance mechanism, and read this guidance, including discussing as a committee what it means to be impartial.
- Ensure management and staff at the site understand the function of the grievance mechanism and its role in continuous improvement.
- Keep an up-to-date record of committee members' declared interests at the site e.g. relatives employed, functions at the site, reporting lines, community business interests.
- At the start of each complaint, ask members to consider and declare any conflict of interest, and repeat this question in meetings when the investigation is complete and new facts may have come to light.
- Separate the different functions of the committee, for example, try to avoid having the same people investigating a complaint, as well as negotiating or mediating the resolution.
- If a member has a conflict of interest, they can temporarily stand down from the committee. If there are sufficient members, the committee can still function.

If the conflict of interest is significant, an option is to invite an additional independent third party to join the committee, e.g. a trade union member, community leader or teacher.

| The potential conflict of interest | Action by the committee |
|---|---|
| Peter is the management representative on the committee. There is a complaint about one of his oldest friends in the management. Two people have submitted a joint complaint about sexual harassment. | When the complaint is received, the company secretary informs Peter that he has a conflict of interest and he temporarily stands down from this complaint. The secretary asks the Gender Committee representative to join the committee as the relevant expert. The secretary also informs the Assess-and-address committee that this is a human rights case and will follow the rules in the Remediation Protocol. |
| Ibrahim is the member representative on the committee. An issue is raised about wage payments and pesticide use on one of the many farms where Ibrahim has worked as an agronomist trainer. | Ibrahim declares that he is familiar with all the affected parties, but has no conflict of interest and this is recorded. Given his knowledge of the farm and affected parties, and his expertise, the committee decides that his experience could help to facilitate dialogue and a swift resolution of the problem. |

Figure 3. Case studies regarding a conflict of interest on the Grievance Committee.



Appeals process

Where dialogue fails to resolve a complaint, a person making a complaint can appeal the committee's decision. The committee convenes an Appeals Panel to review the decision.

To prepare for such a case, it may be useful to identify persons who meet the Grievance Committee selection criteria and who can act as ad-hoc independent members to consider appeals, including external stakeholders. An Appeals Panel consists of one or more persons and does not include any existing members of the Grievance Committee.

It should be a priority for the certificate holder's Grievance Committee and the Appeals Panel to find a resolution satisfactory to all parties, where possible.

In the rare event that the Appeals Panel and Grievance Committee cannot resolve a grievance, and only when all options have been exhausted, the person or organization making the complaint can escalate to the Certification Body that certified the certificate holder, or in turn, they can contact the [Rainforest Alliance's grievance mechanism](#).

Engaging with stakeholders

Stakeholders

The committee may wish to identify stakeholders, or experts, who can support its activities. Be ready to involve people who have the relevant experience or skills, and who work on the farm or plant, or who live in the community.

Stakeholders can help in a variety of ways, for example:

- As investigators with relevant expertise, e.g. agronomists, teachers, doctors, community leaders, NGOs.
- Supporting the person making the complaint, e.g. trade union representatives, gender representatives, and community leaders.
- As an independent and impartial third party on the committee or on an appeals committee.
- As "focal points," people who are trained in the grievance mechanism and promote its use on the site or in the community and receive complaints.

Remember, stakeholders also need to meet the selection criteria of being knowledgeable, impartial, accessible and gender-sensitive, and need to receive relevant training.



Working with existing organizations

It can be useful to consider what mechanisms already exist to address grievances in a community, workforce or at a site so that the committee cooperates with and complements their role, rather than duplicating or competing. For example, there may be unions, worker organizations, local councils, traditional leaders and religious groups that have taken the lead in addressing and resolving grievances.

Talk to these people or groups, and by explaining the purpose of the certificate holder grievance mechanism, find ways to cooperate so that they support the committee's work and objectives. For example, they could become stakeholders who act as representatives of the grievance mechanism, trained to receive and pass on complaints raised and to support people who make complaints. In some cases, it may even make sense to empower an existing structure of institution to serve as the Grievance Committee, as long as its members meet all of the requirements.

Working with other committees and management

The Grievance Committee is expected to work closely with the Assess-and-Address Committee and the Gender Committee, both of which are established as part of the Social Chapter in the Standard.

The reasons these committees collaborate is to address actual cases that impact human rights, including child labor, forced labor, discrimination, and workplace violence and harassment.

The Grievance Committee may have a specific role to investigate human rights cases including assessing immediate safeguarding requirements for those making the complaint, and determining the severity of the case. The Grievance Committee recommends referral to relevant authorities where appropriate, and remediation actions. Each step is clearly set out in the Remediation Protocol (Annex 4) and in this document.

The Grievance Committee also needs to work closely with management and other key functions in the business, in particular, to resource and implement actions to remedy grievances and prevent them from recurring.

Setting up the complaint mechanism

What complaints are admissible

It is important that people and organizations understand what the Grievance Committee can, and cannot do; otherwise they may have expectations that cannot be satisfied. In short, the grievance mechanism is open to anyone who has a complaint about Certificate holder activities and/or their subcontractors and service providers.

To be admissible, a complaint must meet both of the following conditions:

- The complaint is made by any person or organization with a complaint against the certificate holder and/or their subcontractors and service providers.
- The topic of the complaint is about being negatively affected by the actions, rules or policies of the certificate Holder, or its subcontractors, and service providers.

When the committee receives a complaint that is admissible, it is best practice assess any implications for compliance. with the 2020 Sustainable Agricultural Standard to determine the best way to address the complaint. This includes complaints received from community



members, as described in requirement 5.8.3.L1, which enables communities within or adjacent to a farm to raise concerns through the grievance mechanism.

| Examples of complaints that are not admissible | Explanation |
|--|--|
| A complaint that a local road sometimes used by site delivery vehicles, as well as other traffic, needs resurfacing. Road maintenance is the responsibility of the local highways authority. | The complaint should be addressed to the local highways authority that has the competence to address the problem. |
| A complaint that a truck driver transporting supplies for a local mechanic injured a goat belonging to a community member outside the farm boundary. Neither the truck driver nor the mechanic is connected to the farm. | The complaint should be addressed to the truck driver or his company, as they are responsible. The incident is not related to the farm or its subcontractors or service providers. |
| A complaint that a child is working under-age on a smallholder farm that is not part of the group or its supply chain. | The complaint is not connected to the group as the smallholder farm is not a member. Given that there is a risk to a child, the committee may want to encourage the complainant to inform local child protection services. |

Figure 4. Examples of complaints that are not admissible.

How to submit a complaint

One of the most challenging aspects of a grievance mechanism is making sure that people know about it and trust it, otherwise no one will use it.

The reasons why people may hesitate to report issues of concern will differ by location, but typically people fear losing their jobs, or other forms of retribution from management or colleagues. They may feel uncomfortable raising issues with certain types of people or they simply may not be able to make a complaint because they cannot read or write, have no phone or are too far away. It is also possible they do not know that it is possible to make a complaint and that it will be addressed if they do.

Establishing a mechanism that everyone can access requires understanding the site's specific situation, consulting relevant stakeholders, as well as providing as many channels as possible to receive grievances. Ensuring that the mechanism is trusted means being transparent about the process, and diligent about protecting confidentiality.



The following are examples of practical ways in which the committee can enable people to raise a complaint.

| How to submit a complaint |
|---|
| Complaints and suggestions box onsite in highly frequented locations. |
| Grievance form (in local languages) available in highly frequented locations and delivered by post, email, website, in person. |
| Verbally to a committee member or other person trained on the grievance mechanism – a “focal point” – in the workplace or community for example |
| Verbally to another committee member, e.g. gender or assess-and-address. |
| By phone – calling or SMS. |
| To an independent hotline. |
| At the workplace, talking to a supervisor or manager (e.g. immediate supervisor, line manager, production manager, HR manager). |
| In a workplace meeting or community meeting or a training session. |

Figure 5. Examples of how to submit a complaint

There are some best practice steps the committee can take to establish a mechanism that is accessible and trusted.

1. **Culture of dialogue:** encourage and promote a culture of open dialogue and communication in the business, in relations with workers and communities, and other business partners so people do not hesitate to raise issues.
2. **Adapt to local context:** understand how the local community typically deals with grievances and adapt how they submit a complaint accordingly so that people are encouraged to report issues.
3. **Adapt to specific needs:** consult workers and communities, local organizations and business partners on how they prefer to submit a complaint.
4. **Be gender-sensitive:** consider how women can most easily submit a complaint and consult them on how best to achieve this.
5. **Consider vulnerable groups:** review whether there is anyone who might find it difficult to access the grievance mechanism, for example, migrants who speak a different language, indigenous communities, or people who are not literate. Consult them on how to make it accessible.
6. **Focal points:** train a variety of stakeholders in the business and community to be grievance “focal points”. This allows people to choose to raise complaints with a person with whom they feel comfortable and who is not directly involved in their jobs or livelihoods. Train these stakeholders, from management, the workforce and the community to promote the grievance mechanism, and receive complaints.
7. **Transparency:** share easy to understand information about how the grievance mechanism works and timelines. It should be easy for any complainant to understand the process and to check what is happening to a complaint.
8. **Workplace measures:** allow workers reasonable time off to attend grievance mechanisms meetings during working hours (as committee members, when assisting or representing complainants, or when making a complaint) and without loss of remuneration. In turn, workers will not abuse the grievance procedure.



Confidentiality and anonymity

Even if people know about the grievance mechanism and how to submit a complaint, they may hesitate because they fear being in the spotlight or suffering recrimination. Their grievance may involve issues that they do not want to discuss with strangers. Maintaining clear rules about confidentiality can increase confidence. It is also useful to provide an option for anonymous complaints.

Confidentiality: keeping grievance complaints confidential means that the committee must not reveal or share the identity of the person or organization making the complaint, and the content of that complaint. However, in order to investigate and resolve a grievance – including through dialogue and mediation – it can be necessary to share some information. Here are some guidelines about how to do this safely:

- Never share a complainant's identity outside of the committee without their consent and only share with consent if it is otherwise impossible to resolve their complaint.
- Explain to the complainant who needs access to what information in order to resolve the complaint and do this before sharing the information.
- Limit the number of people who have access to information about the complainant's identity and complaint details to the smallest number possible, and on a “need to know” basis.
- Consider exactly what information someone needs in order to fulfill their role in the process and limit the information shared accordingly.
- Agree with the complainant whether their line manager needs to be informed about the complaint, for example, to ensure effective remedy or prevention of repetition or retribution.
- When reporting data on complaints for the purpose of continuous improvement and monitoring, ensure that information is generalized, for example, in the form of recommendations or indicator data, ensuring that it does not reveal identities directly or through indirect association.

Some complaints will be reported anonymously (with no name or identity), or complainants may ask for their anonymity to be respected. In such cases, the committee cannot share information about the person's identity.

Anonymity: it is advisable to make it possible for people to submit complaints anonymously. This option can be important for issues such as sexual harassment, fraud or criminal activity. There are a variety of ways to enable anonymous reporting, depending on the local context:

- a. In writing (suggestion box, grievance form, post, website).
- b. By phone (independent phone hotline or message service).
- c. To a third party (a written complaint given to a grievance representative on the farm or in the community).

When a complaint is anonymous, it is difficult to investigate and substantiate, or remedy the issue satisfactorily as the committee cannot talk to the person involved, and cannot check whether that person is satisfied with the outcome.

Often anonymous complaints may be from the most vulnerable complainants, or those who have experienced severe abuse. Getting to the root of the problem is therefore essential for prevention and the safety of others.



There are ways to prevent repetition of complaints raised anonymously, for example by tackling the potential root causes typical for such issues. Examples of such options include:

- Changing management roles.
- Improving gender representation.
- Setting up systems for women and girls to improve safety at toilets and handwashing facilities.
- Providing training on the topic to the relevant team or site.
- Conducting a business-wide/community-wide campaign on the issue.
- Including the issue in an audit or internal inspection.
- Conducting a survey about this and other issues to check whether it is systemic.

Promoting the mechanism

People have to know about a grievance mechanism in order to use it. That means telling management, workers and the community why the site has a grievance mechanism, what it can do, who represents it and how to raise an issue.

What does the committee need to tell people?

- How to contact/get in touch with the grievance mechanism.
- Who is eligible to use the grievance mechanism.
- Why the certificate holder wants people to use the grievance mechanism.
- Who are the members of the Grievance Committee.
- What issues the committee can address.
- How users are protected.
- Details of the procedure and timelines.
- Feedback about how many complaints are addressed in a year and on what topics.

Examples of how the committee can do this include:

- Training management, staff, workers, farmers and grievance representatives in the community.
- Awareness-raising in worker and community groups, for example, including talks by Grievance Committee representatives.
- Displaying posters promoting the grievance mechanism in local languages, advertising it on local radio or social media.
- Reporting back to the community or workers, together with management, about how the cases reported have helped the certificate holder to improve (without revealing personal information).



THE PROCEDURE

Overview

The following are the key steps in the grievance procedure:

1. Receive and acknowledge the grievance complaint.
2. Safeguarding and human rights cases.
3. Review the grievance complaint to check it is admissible.
4. Investigate to establish what has happened.
5. Communicate findings.
6. Agree a remediation plan.
7. Implement and monitor the remediation plan.
8. Communicate progress.
9. Continuous improvement.

Note. All time frames in this procedure are aligned with those set out in the Remediation Protocol and are mandatory.

- The process should not last more than 12 weeks in total from receipt of a complaint to completion of corrections to provide remedy.
- In certain cases, the certificate holder may be permitted up to 52 weeks from receipt of a complaint to complete specific corrective actions agreed to address root causes.
- Admissibility is confirmed within 1-2 days of receiving a complaint.
- All complaints are investigated and findings communicated to complainants within 4 weeks of receipt of a complaint.

Checklist

- Designate a committee member who acts as “committee secretary”, documenting complaints, coordinating meetings and other administrative steps.
 - Keep a register of all grievance complaints, to record acknowledgement of the complaint, committee meetings, dates and decisions taken.
 - Have an information leaflet to share with anyone who submits a complaint that explains the process and timelines clearly.
 - Check that committee members and stakeholders involved in the complaint are trained in safeguarding and handling grievances, including human rights, and that they understand their role and the time-lines involved.
 - Check that committee members and all involved understand the confidentiality rule.
 - Emphasize the importance of dialogue and mediation and keeping the complainant informed and consulted.
- Checks if the complaint involves risk of harm to the person and whether safeguarding is necessary (If yes, see Step 1.5).
 - Checks if the complaint relates to human rights (If yes, see Step 1.5).
 - Checks for any conflict of interest.
 - Assigns the complaint to a member of the Grievance Committee.
 - Organizes a meeting to review the complaint.
 - Creates a confidential file on the complaint.

Note. If the complaint involves an allegation against senior management, the secretary may invite an independent third party (from a pool of trained stakeholders) with a deciding vote to join the committee.



The secretary responds with a confirmation of receipt and information setting out the following:

- The committee member responsible for the complaint.
- When the committee will meet to review whether the complaint is admissible.
- When the responsible committee member will communicate the outcome of the review.
- Explains what steps the committee will take to keep the complaint confidential.
- Reminds the complainant that they can bring people to support them in any meetings, e.g. union representatives or community leaders.
- Shares an easy to understand leaflet about the process and provide a contact number for the committee member responsible. It should be very easy for anyone to understand how the grievance mechanism works.
- Confirms whether the person making the complaint is literate and adjusts communication accordingly.

Step 2. Safeguarding and human rights cases (where applicable/in some cases)

Time frame: 1–2 days

If the secretary or other committee members have reasonable doubt that the complainant or other persons may be at risk, and/or if the case involves human rights, the committee follows a specific procedure set out in detail in the [Remediation Protocol](#) (Annex 4) and must keep to the timelines given in the Protocol.

The protocol specifically sets out that in the first two days, the committee ensures the safety of the complainant or other persons affected, with their consent, either by escalating the issue through management, or with support from independent third parties who are stakeholders in the remediation process and who can provide a secure and safe location for the complainant, with food and water.

Within four weeks, the Committee Secretary calls a meeting of the Grievance Committee to review the case (human rights cases are admissible) and to recommend a remediation plan.

Within four weeks, the committee applies the Severity Test (see below) to check whether the complaint has to be escalated to management.

Severity Test

Answering “yes” to any of these questions requires referral of the complaint to senior level management so that the organization takes accountability for severe cases including violations of criminal law:

1. Is the situation of the worker/child/potential whistle-blowers life-threatening?
2. Is this a systemic incident, meaning there are multiple cases of this issue on the farm/site?
3. Can the situation have lifelong, negative impacts on the welfare of the worker/child, including physical and/or psychological damage?
4. Is there evidence that the management or staff member knew that the violation was taking place, but continued/approved the practice?



Step 3. Review the grievance complaint to check it is admissible

Time frame: 1–2 days

The committee meets to establish the basic facts of the complaint and to confirm whether the complaint is within the scope of the operations of the certificate holder, and/or their subcontractors and service providers. The committee also confirms whether the complaint relates to a requirement in the Standard.

- Committee secretary documents the decision and date in the register.

The committee confirms whether the complaint concerns human rights, involving child labor, forced labor, working conditions or sexual harassment and workplace violence.

- If yes, inform the Assess-and-Address Committee and Gender Committee, and follow the Remediation Protocol procedure.
- Committee secretary documents the decision and date in the register.

Human rights complaints follow a specific procedure summarized in Step 1.5 and detailed in the Remediation Protocol.

The committee secretary organizes confidential documentation and investigation of the complaint:

- A file is opened to hold the relevant materials.
- The file is stored safely, respecting the confidentiality of the person's complaint and national regulations on data privacy and data protection.
- The committee agrees on what information needs to be shared with whom for an effective investigation.

The responsible committee member informs the person making the complaint of the decision. This includes:

- The outcome of the review.
- Next steps:
 - If the complaint is not admissible, explain why and direct the person to the responsible authority or an organization that can help.
 - If the complaint is admissible, explain the investigation process.
 - Check the person has all the information and support they need and remind them they can be accompanied by a stakeholder of their choice.
- Timelines.
- Agree on confidentiality measures and what information needs to be shared with whom as part of the investigation.

Where possible, communicate face-to-face.

In the event of an anonymous complaint the committee is not able to explain next steps to the complainant. The committee may decide to publicly acknowledge the receipt of an anonymous complaint and publish next steps, only if it does not put confidentiality at risk, or pose a risk of harm to other persons.



Step 4. Investigate to establish what has happened

Time frame: 4 weeks

The committee member responsible for the complaint coordinates the investigation.

The committee appoints an investigator who has the relevant knowledge and expertise to investigate what has happened. This is a member of the committee or an expert stakeholder with appropriate training including on confidentiality.

The investigator establishes these facts:

- Where and when the action, or non-action occurred that led to the grievance.
- Who was responsible or shares responsibility for what happened.
- Why it happened and what is the root cause.
- Is the grievance a one-off or could it be systemic?
- Did the complainant try to resolve the problem in other ways and if so, why did these not work?

Methods of collecting the information include:

- Interviewing the affected parties and/or the person who made the complaint.
- Visiting the site where it happened.
- Interviewing witnesses without jeopardizing the identity of the person who raised the complaint.
- Consulting relevant experts.
- Checking documents and records.

The investigator is informed about what information can be shared for an effective investigation, including in the event of an anonymous complaint.

Step 5. Communicate findings

Time frame: 6 weeks

When the investigation is complete, the committee shares the results with the person, organization or representatives who made the complaint and relevant affected parties.

- The committee discusses the findings with necessary parties and they collaboratively identify remedy corrections and the root cause of the problem.
- If the complaint involves a large group, such as the entire workforce or community, the committee discusses the findings with representatives, and may also hold a public meeting, taking into consideration any confidentiality concerns.
- The committee secretary documents the meeting and date held.

If the person or organization making the complaint disagrees with the committee's findings, and no resolution can be achieved through dialogue, an appeal process is made available.

- If the appeal is rejected, the Appeal Committee confirms the Grievance Committee's findings and their action plan.
- If the appeal is accepted, the Appeal Committee may adjust the Grievance Committee's findings or recommend a new investigation.

In the event of an anonymous complaint, the committee may decide to share its findings publicly, only if it does not put confidentiality at risk, or pose a risk of harm to other persons.



Step 6. Agree a remediation plan

Time frame: 6 weeks

In collaboration with relevant experts the committee develops a remediation plan that sets out how to provide remedy and how to prevent the grievance from being repeated. The plan includes corrections (to put right the wrong) and corrective actions (to address the root cause).

The committee member responsible for the complaint coordinates the development of the remediation plan.

- They work together with expert stakeholders, the person who made the complaint and the affected parties, to agree on the corrections and corrective actions.
- Every action has an agreed timeline, a budget, and relevant experts who will support implementation.
- They liaise with management to assign roles and responsibilities, and to identify who is accountable for each correction and corrective action.

Identifying and agreeing a resolution may involve different skills depending on the complaint, for example, dialogue, negotiation, mediation or conciliation.

The committee meets to sign-off on the action plan and proposed timeline.

- The timeline prioritizes corrections to be completed within 12 weeks of the original complaint and set out corrective actions to be completed as soon as possible after that, and no longer than 52 weeks from the date of the original complaint.
- The committee confirms that all actions are compatible with human rights and the Rainforest Alliance standard.
- The committee secretary documents the meeting and date held.

In the event of an anonymous complaint, the committee develops the remediation plan with relevant experts and stakeholders.

Step 7. Implement and monitor the remediation plan

Time frame: 12 weeks

The committee member responsible for the complaint is advised to do the following:

- Hold weekly meetings with the persons responsible for the corrections and corrective actions to oversee progress in implementation and to monitor effectiveness of the measures selected.
- Monitor timelines and take action to prevent delay where possible.
- Monitor implementation progress in a document that is shared with the Grievance Committee and management.
- Document when each action has been completed.

Step 8. Communicate progress

Time frame: 12 weeks (corrections)

Time frame: Up to 52 weeks (for specific corrective actions including Assess-and-address complaints)

The committee member responsible for the complaint keeps the complainant regularly informed about the progress of the remediation plan.

For example, the following steps are recommended:

- Agree with the complainant how regularly they would like to be updated (for example, weekly, monthly).



- Ensure the complainant fully understands the plan and the timetable for corrections (12 weeks) and the corrective actions (52 weeks).
- Communicate progress and discuss any obstacles to completion.
- Communicate when each step is completed and when the complaint is resolved.
- Check regularly whether the complainant is satisfied with the outcome.
- When all corrections and corrective actions are complete, assess whether the complainant is satisfied with the outcome.

When the remediation plan has been completed, the committee member responsible for the complaint does the following:

- They meet the affected parties, stakeholders and management and explain how the complaint has helped the business to improve. In the event of a complaint involving a large group such as workers or the community, this could be a public meeting.
- They share the details of the completed remediation and corrective actions with the appropriate team, so they are included in regular monitoring activities (respecting confidentiality).

In the event of an anonymous complaint, the committee may decide to communicate progress publicly, only if it does not put confidentiality at risk, or pose a risk of harm to other persons.

Step 9. Continuous improvement

Time frame: 52 weeks

When the complaint has been resolved, the committee meets to discuss and analyze the process and how the complaint informs continuous improvement.

- They check that the procedure was followed. If any deadlines were missed, they record why this happened and how to improve the process next time.
- Check steps taken to protect confidentiality and the effectiveness of that process.
- They discuss feedback from the person who made the complaint and the affected parties, as well as from experts and management involved in remediation.
- They review any learnings from the investigation and completed remediation plan.
- They discuss why the complaint was not resolved by the complainant before coming to the grievance mechanism.
- They check how the complaint fits into the overall pattern of grievances received.
- They discuss how the complaint has informed continuous improvement.
- They include relevant generalized data from the complaint (respecting confidentiality) in monitoring indicators for the grievance mechanism to share with management.
- The committee secretary documents the meeting and date and conclusions in the register.



GRIEVANCE MECHANISM INDICATORS

Overview

Assessing whether a grievance mechanism is working is complex and to be meaningful – and to use the mechanism to inform continuous improvement – requires analyzing and interpreting data considering the site context.

- For example, an indicator that reveals a low number of complaints received in a year may reveal a healthy work or business environment, or that grievances are being resolved in other ways, by good management or existing organizations such as unions. On the other hand, a low number of complaints may signal that people have grievances that are not being voiced and/or resolved.

To assess how to interpret an indicator, it is advisable to analyze data in the context of the certificate holder and in particular by comparing and triangulating with other monitoring and inspection information.

- For example, if a site has a very low number of complaints, yet most Assess-and-address complaints are about sexual harassment, and there are complaints about the safety of women's toilet and handwashing facilities, it is likely there are more grievances that have not been reported. Complaints are low because women are hesitating to use the mechanism.

As well as drawing conclusions about effectiveness, grievance mechanism indicators can help to inform continuous improvement and to reveal the challenges on the site. It is therefore important to analyze data about the issues being raised and who is raising grievances and to compare this with other oversight mechanisms, such as audits, inspections and monitoring.



Indicator list

The following are a list of indicators that can be used to understand and analyze the effectiveness of the Grievance Mechanism.

The first set of indicators is mandatory. They are collected as part of Core Requirement No. 5.1. The data should therefore be accessible through management or the relevant committee.

| Mandatory indicator | Interpretation | Source |
|---|---|---|
| The number of potential (reported) cases identified by the monitoring system and referred to the Grievance Mechanism (by gender, age, and type of issue). | Indicates the effectiveness of communication between the monitoring system and the Grievance Committee | 5.1.3: Monitoring records; Grievance Committee records. |
| Number and percentage of confirmed child labor, forced labor, discrimination and workplace violence and harassment cases remediated per the Remediation Protocol (by gender, age, and type of issue). | Indicates how many human rights complaints are dealt with appropriately using the Remediation Protocol, which indicates effective communication between the Grievance Committee and Assess-and-address. | 5.1.4: Grievance Committee and Assess-and-address records. |
| Mandatory smart meter indicator, only for CHs in areas of high risk of child labor/ forced labor): scores on the Assess-and-address system elements, as per the yearly assessment of the A&A system. | Indicates the effectiveness of communication between the Grievance, Gender and Assess-and-address Committee, and compliance with Remediation Protocol procedures. | 5.1.8: Grievance Committee, Assess-and-address and Gender Committee records. |

Figure 8. Mandatory indicators relating to the Grievance Mechanism

The second set of indicators is optional and provides certificate holders with ideas about how to measure and analyze the performance of the grievance mechanism and to inform continuous improvement.

Note. Many indicators involve counting numbers or percentages of complaints and the Grievance Committee and management will need to identify their own targets to interpret the data, based on their local situation (e.g. size of potential affected population) and learnings over time.



| Indicator | Interpretation | Source |
|---|--|---|
| Issues and complainants | | |
| Number of complaints made in the first six months after the GM is first established (higher is best/based on self-selected targets). | The public know the mechanism exists and how to use it and they have confidence in it. | Grievance Committee records and Assess-and-address records. |
| Number of complaints per quarter by issue (e.g. pollution, wages, damage). <i>Record by gender.</i> | What types of issues need remedy and mitigation. If the same issue is being repeated it is possible remediation measures are not working. | Grievance Committee records and Assess-and-address records. |
| Number of complaints per quarter by type of complainant (e.g. worker, young worker, migrant worker, community member, business, stakeholder, etc). <i>Record by gender.</i> | Indicates which groups are most comfortable using the mechanism, including the most vulnerable, and/or which groups have the highest grievances. | Grievance Committee records and Assess-and-address records. |
| Percentage of grievances that are anonymous. | Indicates degree of trust in fairness of the mechanism, or severity of the complaints | Percentage of grievance complaints that are anonymous. |
| Training and awareness raising | | |
| Number of people trained per year on the grievance mechanism by type e.g. management, workers, members, community leaders, stakeholders. | Indicates degree to which the grievance mechanism is understood, promoted and representative. | Grievance Committee and management records. |
| Number of people who attend awareness-raising sessions about the grievance mechanism per year. | Indicates degree to which the grievance mechanism is understood and promoted. | Grievance Committee and management records. |
| Complaint resolution | | |
| Percentage of complaints resolved in a manner that is satisfactory to all parties (even if the outcome was not what they wanted). | Indicates confidence in the mechanism and that committee members are effective. | Grievance Committee records and Assess-and-address records. |
| Percentage of complaints closed within the Remediation Protocol time frames (more is good as it means time frames are respected). | The Grievance Committee is functional and effective and users are trust the grievance mechanism. | Grievance Committee records and Assess-and-address records. |



| Indicator | Interpretation | Source |
|--|--|---|
| Continuous improvement | | |
| Number of grievance complaints (by issue and complainant type) that are also noted during audits, internal inspections, risk assessment and monitoring. | Comparing across other oversight mechanisms may indicate the mechanism is aligned (similar number of complaints) or that less or more complaints are coming to the mechanism than identified in audits or inspections. | Grievance Committee, audits, inspections. |
| Frequency with which management analyzes grievance data (e.g. quarterly reporting). | Indicates management uses the grievance mechanism as source of continuous learning. | Grievance Committee and management records. |
| Outcomes | | |
| Reduction in absenteeism/turnover. | An outcome indicator that when combined with data on effective resolution of complaints, may indicate workers are satisfied and have fewer grievances. | Grievance Committee, risk assessments, monitoring data. |
| Worker-management relations are effective (e.g. regularity of meetings held, interviews reveal positive views). | An outcome indicator that when combined with data on grievances, may reveal complaints are being addressed effectively. | Grievance Committee, risk assessment interviews, monitoring data. |
| Community relations are effective (e.g. regularity of meetings/engagements between management and community members, number of stakeholders engaged to support remediation). | An outcome indicator that when combined with data on grievances, may reveal complaints are being addressed effectively. | Grievance Committee, risk assessment interviews, monitoring data. |

Figure 9. Non-exhaustive list of optional grievance mechanism indicators