PLENARY 5: UPSCALING THE COMPLAINTS SYSTEM
15 November 2018

1. Complaints Statistics

Average No. of Working Days Open & for Case to be Resolved (2009 - 31 Oct 2018)

- **122** Complaints Received in Total
- **70** Complaints Closed in Total

**Notes:**
- 10 Complaints post final decision by the Complaints Panel and pending closure;
- 5 Complaints pending State-led processes.

**Key Trend:**
- The CP has delivered final decisions on 67% of Complaints received since 2009.
2. Complaints & Appeal Procedure 2017

- Submission of Complaint to the Secretariat
  - Acknowledge receipt of complaint
  - Initial Diagnosis
    - 30 WD (Upon Complaint Submission)
    - Complaint Rejected
    - Complaint Accepted
  - Bilateral Engagement
  - Complaints Panel Constituted
    - 30 WD (Upon Complaint Acceptance)
    - Investigation Phase
    - Interim Measures
    - Urgent Action
    - Mediation through Dispute Settlement Facility (DSF)
    - IMU (Monitoring Implementation)

Complaints & Appeal Procedure 2017 cont.

- Appeal
  - Appeal Lodged
    - (must within 60 WD upon receipt of CP Decision)
    - Appeals Panel Constituted
    - Deliberation of Appeal
    - Decision by AP
    - Case Closed

- Investigation
  - Referral to other RSPF Panels / Standing Committees
  - External Verification
  - Referral to Certification Body / Accreditation Body
  - Case Closed
  - Decision by CP
    - Corrective Actions
    - Sanctions: Warnings, Suspension or Termination

- Actions by Complainant:
  1. Provide the grounds for the Decision to the Complainant and Respondent
  2. Notify the Complainant and Respondent of their right to lodge an appeal against the decision

- Case Closed
  - IMU (Monitoring Implementation)
3. Role of Complaints Panel

- Managing Complaints
- Ensuring Impartiality
- Confidentiality
- Accountability

4. Key Trends

- Increase in Complaints
- Increase in Labour Issues
5. Key Challenges

Factors impacting timeline of resolution

Challenges from the Secretariat & CP side

Scope of directives and sanctions

Key comments highlighted in the survey

Communication & Procedures

- Timely communication.
- Effective procedures with time bound commitment.
- More visibility & transparency.

Decision & Resolution

- Shorter timeline to resolve a Complaint.
- Stronger Corrective Actions.
- To use interim measures to protect HRDs.

Complaints Panel

- Fully funded, independent panel.
- Increase capacity for investigation.
- Direct contact & communication with the parties.
- Balance representation.
6. Addressing the Challenges - Strengthening the Complaints System

- Adherence to the New Procedure (CAP) and related SOP
- Meeting the ISO 9001/2015 certification requirements
- Systematic categorisation of the status of Complaints
- Transfer of Complaints to the IMU
- Training & upbringing of skills
- More effective communication (Complaints portal revamped)

7. Improvement in Communication

A new Case Tracker!

- Complaints Reference no. e.g.: RSPO/2017/05/CH
- Year of the Complaint Received
- Case Manager Initial
- Running Case number
- Progress bar

Confidentiality:
- If the Complainant wants to remain confidential, the Complainant’s name will be written as "Confidential".
8. Role of the CP in Standard Setting & Interpretation Processes

P&C Review Task Force

Financial Institution Task Force

BHCV Working Group

Human Rights Working Group
9. To address threats against HRDs

- Developing and strengthening procedures to ensure effective alignment with the HRD Policy.
- Use of new technology – Ulula

10. Expanding the Complaints Panel

[Map showing countries and numbers]
Scope of Work

- Complaints Panel Meetings
  - once a month (via webex) + 3 to 4 physical meetings a year
- Review complaints documents, conduct investigations, deliberate and deliver decisions
- Support review and strengthening of procedures
- Support with standard setting and outreach activities

Thank You