



**BONSUCRO COMPLAINTS and
GRIEVANCES MANAGEMENT SYSTEM
Webinar August 2020**

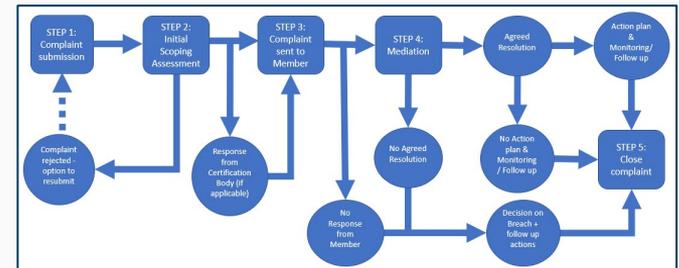
INTRO

On Monday 15th June 2020, we launched our [Complaints and Grievances Management System](#) on the Bonsucro website.

This system gives users options to voice their concerns or raise a complaint regarding:

- Bonsucro members
- Bonsucro auditors / CBs
- Bonsucro

The [Bonsucro Grievance Mechanism](#) was launched at the same time as one of these options.



Webinar topics

- Project Background
- Bonsucro Complaints and Grievances Management System
- Promoting Workers and Community Voices Project

QUESTIONS

- Bonsucro Grievance Mechanism (GM)

QUESTIONS

Project Background

What is a Grievance Mechanism (GM)?

A grievance mechanism is:

- a complaint process
- that can be used by individuals, workers, communities and/or civil society organisations
- that are being negatively affected by certain business activities and operations.
- It can be formal, legal or non-legal (or ‘judicial/non-judicial’)
- Is also called ‘complaints’, ‘redress’, or ‘accountability’ mechanism.



Why did we develop a Bonsucro GM?

Bonsucro's mission is to ensure that responsible sugarcane production creates lasting value for the people, communities, businesses, economies and eco-systems in all cane-growing origins. Bonsucro's strategy builds a platform to accelerate change for the largest agricultural commodity in the world – sugarcane.

Why is an effective Grievance Mechanism important?

- Encourage proactive compliance, risk management and remediation.
- Demonstrate the credibility of Bonsucro's scheme to all stakeholders, including Members, Buyers, ISEAL, the OECD and the European Commission (EU RED accreditation).

How did we develop the Bonsucro GM?

- Development supported by DLA Piper (independent law firm)
- Input from CEDR (Centre for Effective Dispute Resolution) who have been contracted by Bonsucro to manage the implementation of the GM.
- Public consultation in Dec 19 - Jan 20
- Followed the UNGP Guidance on Grievance Mechanisms



UNGP?

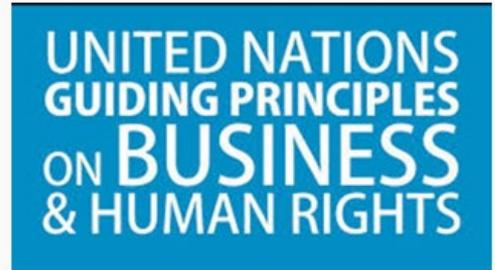
United Nations Guiding Principles on Business and Human Rights (UNGPs)

31 principles to guide the implementation of the UN 'Protect, Respect and Remedy' framework .

Aims at enhancing standards and practice regarding business and human rights

3 pillars of the approach:

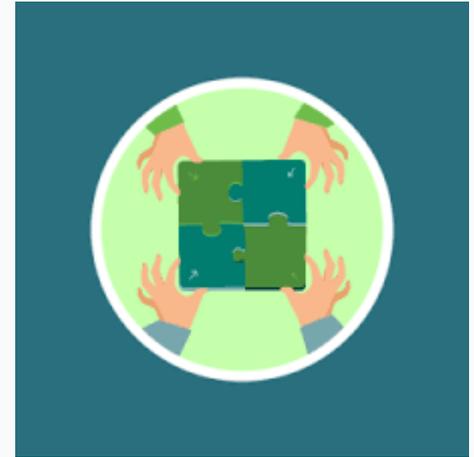
- The state duty to protect human rights
- The corporate responsibility to respect human rights
- Access to remedy for victims of business-related abuses



GM Effectiveness Criteria

UN Guiding Principle 31 To ensure their effectiveness, grievance mechanisms must be:

- Legitimate,
- Accessible,
- Predictable,
- Equitable,
- Transparent,
- Rights-compatible,
- A source of continuous learning,
- Based on engagement and dialogue.



Bonsucro Complaints and Grievance Management System

Bonsucro Complaints & Grievances Management System – WHY?

Why did we map out other options ?

The Bonsucro GM is our “state of the art” tool but:

- It does include some level of complexity: other options might be more suited to the complainant expectations.
- It is costly: Bonsucro has allocated a specific budget to finance cases going through the GM this year and is looking for additional funding.
- It is only applicable to grievances against Bonsucro Members: what about complaints about other actors in the Bonsucro system?

Bonsucro Complaints & Grievances Management System – DESIGN

Start from what a complainant generally knows:

- Who they are
- Whose actions they wish to complain about
- What outcome they expect



The Management System has been designed on the website to help navigate the options based on this information, without influencing their choice.

It starts with 3 “pathways” to complain about / report the actions of:

- Bonsucro members
- Bonsucro auditors / CBs
- Bonsucro

Complain about / report the actions of BONSUCRO Member (or applicant)

The options available depend on the status of the organisation they wish to complain about:



- Bonsucro Candidacy Public Consultation & Due Diligence
- Member's own Grievance Mechanism
- Certification Body's allegation and complaints processes
- Bonsucro Grievance Mechanism

Complain about / report the actions of BONSUCRO Auditor / CB

The options available vary depending on whether or not you are a client of the Certification Body:

- Bonsucro post audit survey
- Certification Body's allegation and complaints processes
- Certification Body's appeal process
- Contact / escalation to Bonsucro



Complain about / report the actions of BONSUCRO

The options available vary depending on who you are:

- A Bonsucro candidate member
- A Bonsucro member
- A Bonsucro Licensed Certification Body (or applicant)
- A Bonsucro Licensed Training Provider
- A 3rd-party organisation or individual



Included possibility to
report to 3rd-party
organisations: ISEAL
and EU Commission

Promoting Workers and Community Voices Project

Promoting Workers and Community Voices Project

This **Project** aim at:

- Improving accessibility to the Bonsucro Grievance Mechanism & other options
- Capitalising on learnings to develop the ecosystem further

How?

Actively encourage organisations delivering the services we need to get in touch and explore options to join forces.

Main contact

Christele Delbe [Bonsucro Partnership and Innovation Lead](#)

Promoting Workers and Community Voices Project

We are looking for partner organisations to deliver the following services:

1. Funding cases to go through the Bonsucro GM (increase budget)
 2. Translation services for complainants
 3. Offering advice and case support to complainants (which options to choose, how to prepare, legal advice, etc)
 4. Technology solutions
 5. Mediation alternatives
 6. Raising awareness through training
- 
- A. capacity building programme to empower workers and communities to raise their concerns and seek remedy.
B. develop case studies featuring successful remedial actions for environmental and social impacts, and best practice guidance for Bonsucro members.

Questions

Bonsucro Grievance Mechanism (GM)

Bonsucro Grievance Mechanism

The aim is:

to create an improved and more effective process:

- For Bonsucro members

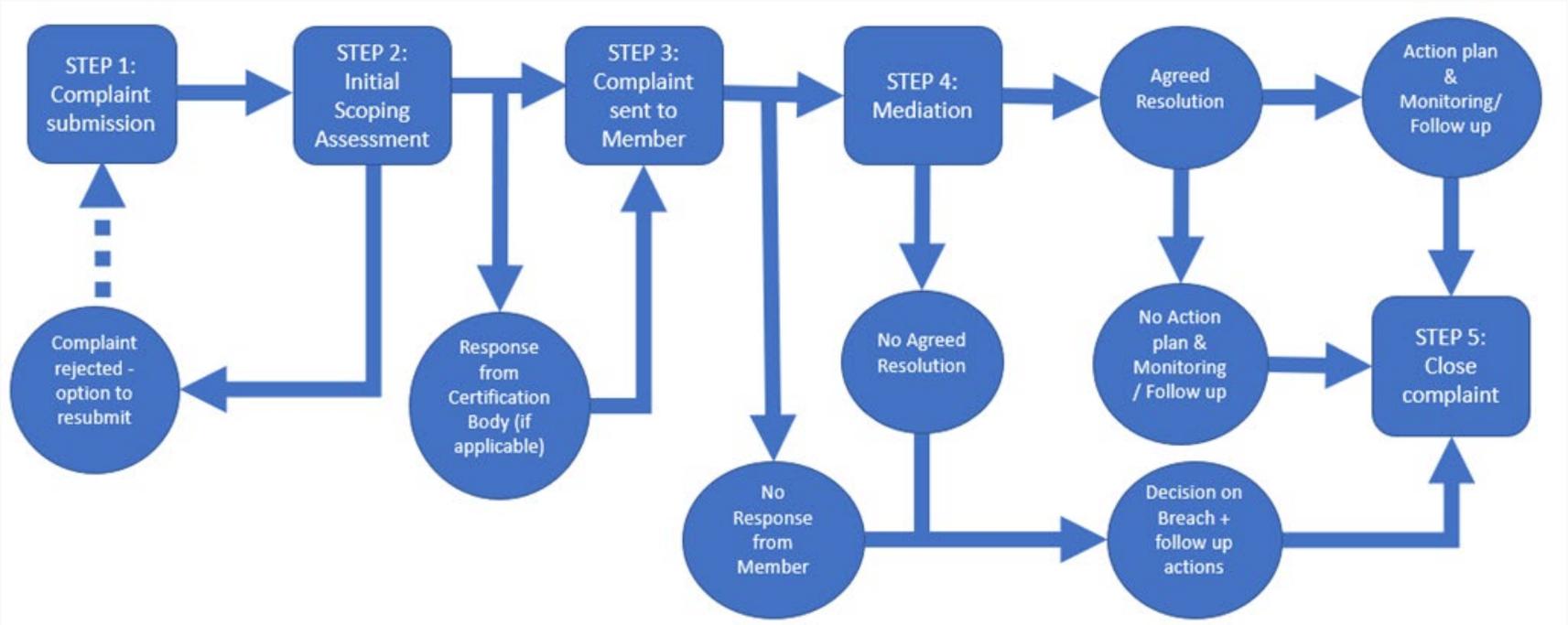
and

- For those who feel that a Bonsucro member has not complied with the requirements for the industry set out in the Bonsucro standards and certification processes.

Innovation:

This revised Grievance mechanism approach directly use an independent organisation to oversee complaints management.

Bonsucro GM – Process



Complaint submission and Scoping

CEDR is asked to ensure that a case submitted is of course **eligible and appropriate** to be dealt with through the Grievance Mechanism.

The complaint has to be:

- About a **Bonsucro Member**
- About **breach of Bonsucro Code of Conduct or Bonsucro Standards**.
- Properly set out in an **application form** with a statement of Complaint.



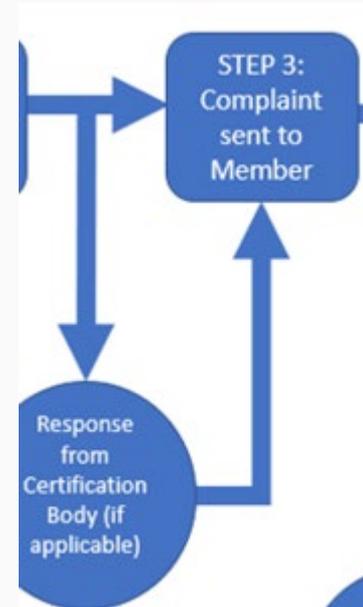
The Response

Once CEDR is satisfied that a Complaint is eligible and in scope, the next stage is to seek a **Reply to the Complaint by the Member**.

Their response has to be given in a set time period, and deal with the issues raised.

Another track in the procedure to **check if the breach alleged in the complaint has already been identified via the certification process**, when applicable.

The Complainant can consider if the findings and/or corrective action plan identified as part of the Member's certification process are adequate to deal with a Complaint.



Direct Resolution

It is open to the parties at this early stage, to choose to resolve the Complaint directly and without the need for further intervention.

If there is still a disagreement, then we move to the next formal stage and the introduction of a mediator to try to assist the parties actively to achieve an agreement.



Mediation

The Mediator will work with each party within a month, to see if they can **help the parties find an amicable settlement without a formal judgment having to be made around the Grievance.**

Either party is free to reject the mediation stage, but such a rejection of a reasonable attempt at negotiated resolution, will be taken into account in the final stage.



Mediation

There will be a **set period allowed of around 30 days** for the mediation to succeed, but parties will also have the option at this point to extend negotiations, or to seek Recommendations on settlement from the Mediator, or even ask the Mediator to adjudicate between them.

The Procedure was designed to **offer good flexibility to cater for various circumstances and party needs.**



Adjudication

The Mechanism **ensures closure of a Complaint**, even if parties could not agree directly or with assistance from a Mediator.

CEDR will appoint an **independent Adjudicator** whose role is to take all the documentation produced around the Complaint and **make a final decision on whether or not there has been breach of Bonsucro Code of Conduct or Standards**.



Adjudication

It will also be open to the Adjudicator to go further and to make **recommendations** at this point **to the Bonsucro Board**, as to **sanctions against a Member or remedial actions** that should be undertaken by the Member.

Monitoring for a period of time by Bonsucro of the Member's compliance with the actions may be required.

Bonsucro will **publish on its website** some outline information on cases going through the process, and the kind of findings and recommendations arising from the Grievance Mechanism process.



Questions

Thank you for taking part

Bonsucro Grievance Mechanism questions: contact CEDR adr@cedr.com

General question: contact celine@bonsucro.com

Workers & Community Voice Project: contact christele@bonsucro.com

