



The Food Network for Ethical Trade (FNET)

ALL MEMBERS MEETING 21 SEPTEMBER 2022





Purpose of today

Members to reconnect and accelerate collaboration

FNET AGM to elect new board and approve financial accounts

Encourage FNET members to reengage in the working groups

A Focus on advancing Member Human Rights Due diligence and reviewing UK seasonal challenges

Agenda

9.30-9.40am	Welcome and overview of the day
9.40 - 10	FNET AGM
10-11	Human Rights Impact Assessments – How are these informing members due diligence approaches?
11-11.30	<i>Member networking and skills matching over coffee</i>
11.30 – 12	Workstream elevator pitch updates
12- 12.50	<i>Member Networking and Logo game over lunch</i>
12.50 –1.50	Grievance mechanisms – what makes them effective?
1.50-2.15	Questions to the board and formal close
2.15-3.30	Experiences on recruitment of non-UK workers in 2022 (SAWS and other schemes) to feed into the October SAWS roundtables



Housekeeping



- Fire – We're not expecting any fire drills so if you hear an alarm, please head out the way you came in. We will assemble near the NOMA suite.
- Toilets – Just out the door and to the right.
- WIFI – Please use the 'Guest' WIFI, please click the 'Create Account' under the log in option.
- Lunch is provided, if you have any allergens, dietaries or concerns please let Ella know.
- All waste will be recycled where possible. Even if it's thrown in a regular bin.

Competition Law Statement

“Today we are meeting to discuss an update on the agenda of the Food Network for Ethical Trade, meet the new FNET team and reconnect with other FNET members.

We take competition compliance seriously. Whilst discussions can cover matters of interest to our industry, we cannot discuss or exchange sensitive commercial information.

If at any time during this meeting, you think our discussions may be in breach of competition rules, please inform the Chair. The Chair may close the meeting at any time if she believes that discussions are in breach of competition law”

How to submit your quick fire questions for the board



What do we need from you today?





Welcome
from
Cathryn
Higgs
Head of
Sustainability



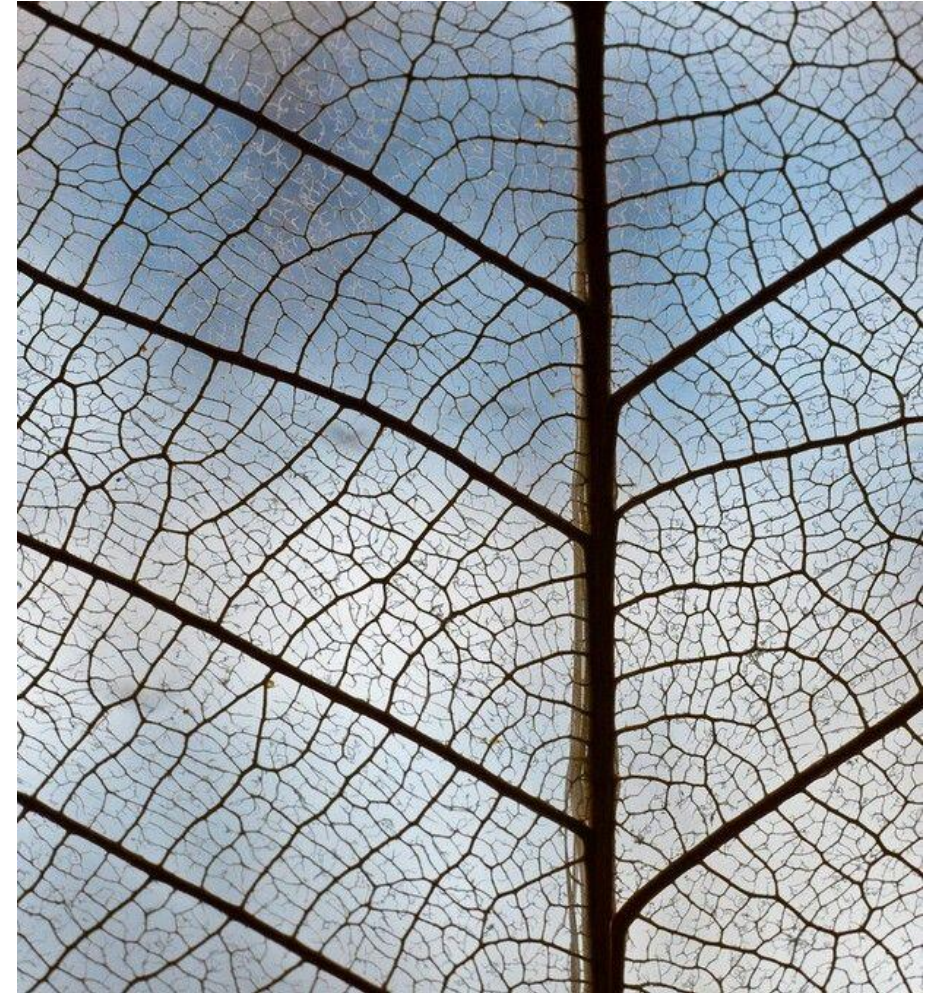
FNET AGM

21st September 2022



Agenda

- Apologies for absence
- Acceptance of Minutes of last AGM
- Board Report 2021/22
- Changes to Articles of Association
- Accounting Report for the year to 31st January 2022
- Re-appointment of Auditors
- Board of Directors elections



Acceptance of Minutes of last AGM

20th October 2021

Board report for the year to 31st January 2022



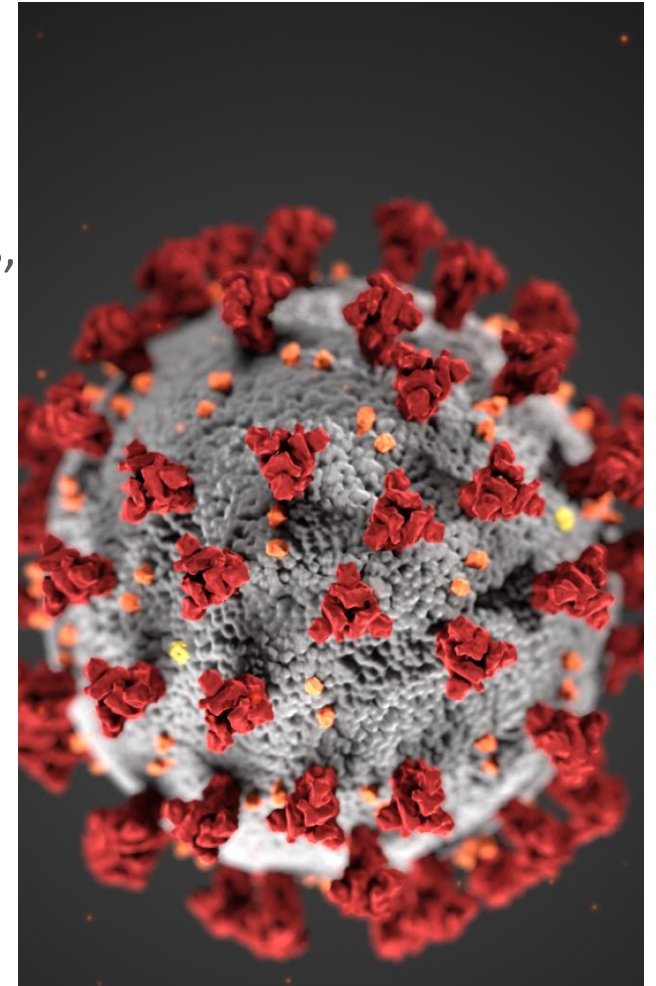
Annual report Feb 2021-Jan 2022

In 2021, the FNET and its 60 members have worked hard to further the organisation's mission **to use the collective leverage of suppliers and retailers to bring about positive change** in working conditions supply chains by providing guidance, resources, training and opportunities for collaboration. 2021 activities have included:

- **24 fortnightly all member calls** with members sharing current human rights risks, ongoing ethical trade issues and opportunities for collaboration
- **14 working group meetings and multiple sub-group meetings** developing tools and resources to tackle recruitment fees, improve worker representation, improve farm-level due diligence and engage raw material suppliers
- **5 learning webinars** covering topics that included gender, climate change and living wages
- **Update to the FNET Risk Assessment tool and risk metrics**
- **Ongoing support to members through ad hoc webinars, meetings and collaborations** on issues including Xinjiang and forced labour, changes to Indian labour laws, prison labour in the UK and working hours and labour shortages
- **Collaboration with and, advocacy to, organisations** including Sedex, ETI, ALP, National Crime Agency, DEFRA, NFU, Fairtrade, Cold Chain Federation and the Spanish Ethical Trade Forums on issues ranging from working hours through labour shortages to clandestine migrant risks in logistics.

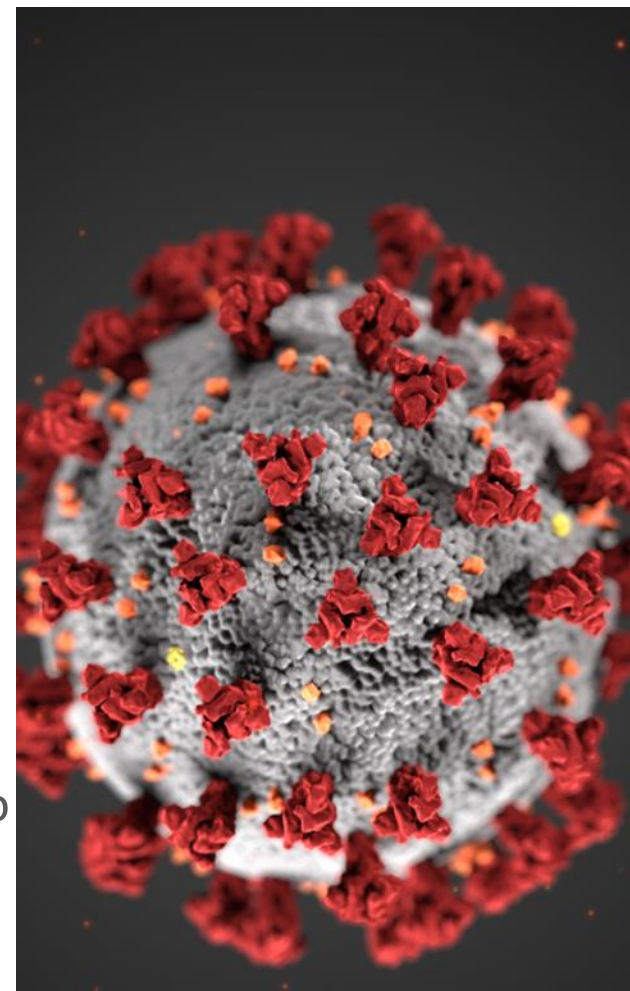
COVID and labour shortages focused our actions

- Sponsorship of [Foodfarmhelp.com](https://www.foodfarmhelp.com) – a website providing guidance on Covid-19 risk management for the food, agricultural and horticultural industries
- **Weekly COVID-19 & labour shortages email updates** covering resources, reports, news headlines and webinars
- **Bi-weekly all member calls** to discuss Covid, labour shortages, risks and member concerns
- **Supplier guidance and small grower guidance & FAQs**
- **Country-risk resource** developed with support from Ergon, M&S, Sainsbury's & Tesco's
- **Weekly country prevalence updates** supported by Anthesis
- **Monthly border restrictions and lockdown updates for Europe**



COVID and labour shortages advocacy and liaison

- **Member input to UK's Department for Environment, Food and Rural Affairs (DEFRA) and Public Health England** to develop Best Practice Guidance for seasonal workers
- **Member input to DEFRA** on UK labour availability and international supply chain challenges
- Member input to **Sedex** on **modular COVID-19 SAQ**
- **Partnership with retailer-sponsored COVID-19 webinars – member involvement** as presenters and participants
- **Active engagement with Ethical Trading Initiative** and opportunity for members to take part in **ETI COVID-19** calls
- Liaison with **UK's Department for International Development (DfID)** to help FNET members secure funding through the Vulnerable Supply Chains Funding facility.



Acceptance of Board Report

Chair of governance and nomination talks through Key changes to the Articles of Association

Key changes	Article no.
Specify that each member company can only have one director on the board at any one time. If 2 people from one company nominate themselves, then the member company will decide who gets put forward.	22.3, 24.1.7
Ability for board to remove a director not in compliance with the CoC and service agreement without having to go to ordinary resolution by the members	23.1.2, 24.1
Mention of the Code of Conduct and service agreement that we get board members to sign	23.1.3, 48
Ability to advertise for directors with specialist skills (finance, legal, HR skills) , and vet applications for those criteria	23.2
Ability to Co-opt Supplier or Retailer directors to fill a vacancy	23.4
Change the standard term of director appointments to 3 years but keep the 6 year maximum.	23.6, 23.7
The quorum for general meeting is reduced to 25%	35.2



Acceptance of the Articles of Association changes

Accounting Report for the year to 31st January 2022



Acting Chair of Audit and Risk Committee

FOOD NETWORK FOR ETHICAL TRADE

INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31 JANUARY 2022

	2022 £	2021 £
Income	178,598	179,640
Cost of sales	(138,581)	(156,929)
Gross surplus	40,017	22,711
Administrative expenses	(3,443)	(5,902)
Operating surplus	36,574	16,809
Interest receivable and similar income	1	-
Surplus before taxation	36,575	16,809
Tax on surplus	(6,949)	(2,932)
Surplus for the financial year	29,626	13,877

The income and expenditure account has been prepared on the basis that all operations are continuing operations.

Resolution to formally adopt Accounts and Accountant's Report for year ended 31 January 2022

Re-appointment of our Accountants

Board elections

FNET Retail Director Nominations

Aisha Aswani	Co-op
Courtney Forbes	Tesco
Sam Ludlow-Taylor	JLP

FNET Supplier Director Nominations

Rachel Baldwin	Pilgrim's Pride
Julia Black	Hilton Foods
Wayne Gunther	Fresca Group (Prima Fruit)
Naomi Kirkwood	Samworth Brothers
Ben Summers	Innocent Drinks
Fiona Wheatley	Bakkavor
Andy York	Pilgrims UK



Confirmation of board directors elected

FNET Retail Director Nominations

Aisha Aswani	Co-op	3 years
Sam Ludlow Taylor	JLP	3 years
Courtney Forbes	Tesco	2 Years

FNET Supplier Director Nominations

Andy York	Pilgrims UK	3 years
Fiona Wheatley	Bakkavor	3 years
Julia Black	Hilton Foods	2 years



Introducing the NEW FNET Board and Team



Fiona Wheatley,
Bakkavor



Mel Miles,
Greencore



Courtney Forbes
Tesco



Sam Ludlow Taylor,
Waitrose



Aisha Aswani,
Coop



Andy York,
Pilgrims



Julia Black,
Hilton Food Group



Paul Williams,
Princes



Steve New,
Chair



Suzanne Natelson,
FNET Project Manager



Margaret Nderitu,
FNET Project Manager



Louise Nicholls,
FNET Lead



Chris Goodacre,
Association Secretariat



Sue Butler,
Association Secretariat

Time to thank our departing board members for their fantastic contribution



Shayne Tyler,
Fresca Group



Vicky Dodman
M&S



Deborah Carlin,
Muller



M&S

EST. 1884



Human Rights Impact Assessments – How are these informing members due diligence approaches?

Why companies complete a Human Rights Impact Assessment (HRIA)?

Builds knowledge and helps companies **identify their most salient human rights impacts** which helps them to **prioritize efforts** to address them and manage material risks.

Responds to **stakeholder expectations** enabling them to evaluate companies' human rights due diligence approach and assess a company's progress over time.

Saves money in the longer run

HRIA's can help **identify root causes** and develop **holistic solutions** to complex issues

Can **enhance** internal and value chain **cross-functional collaboration and ownership**

Can **strengthen stakeholder engagement, build trust and help enable access to remedy** for rights holders (workers and neighbouring communities)

What is a human rights impact assessment?

- A context specific process for identifying, understanding, assessing and addressing the adverse effects of a business project, activities or operations on the human rights enjoyment of impacted rights-holders such as workers, community members or consumers.
- It is an elaborate assessment process.
- Stand-alone exercise, but iterative follow up activities is essential to ensuring long term impacts.



Typical steps in a HRIA

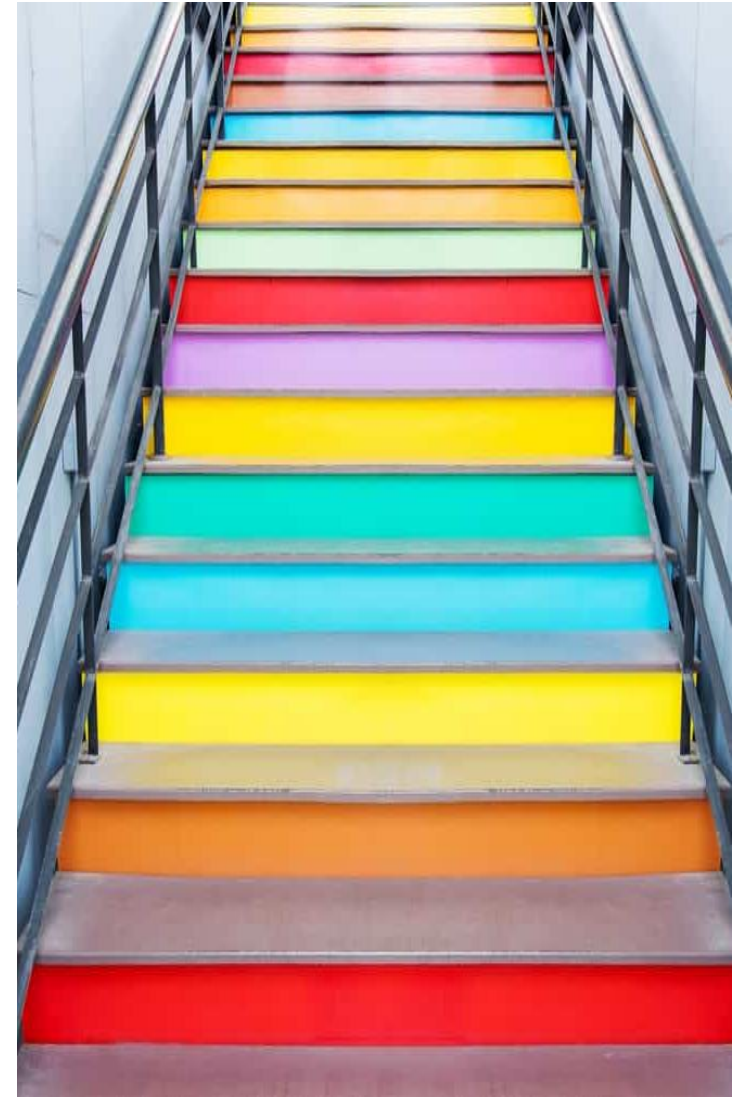
Review of relevant business and supply chain activities and relationships

Scope of impacted human rights

Baseline analysis of gathered secondary information (e.g. national legal regulations)

Stakeholder engagement with the help of local consultants

Impact assessment to identify salient issues
human rights
mitigation
action plan



Different types of HRIA's

Corporate level HRIA

- Identifies areas of risk and opportunity across all operations
- Informs the company's broad human rights commitment and strategy
- Identifies businesses, sites, products or markets for specific HRIA's
- Increases efficiencies by directing limited resources to where they matter most



Country level HRIA

Product/raw material level HRIA

Site level HRIA

Community level HRIA

- Identify specific impacts, risks and opportunities
- Determines prevention, mitigation and remediation plans for each issue
- Can be done by individual companies or collaboratively

M&S

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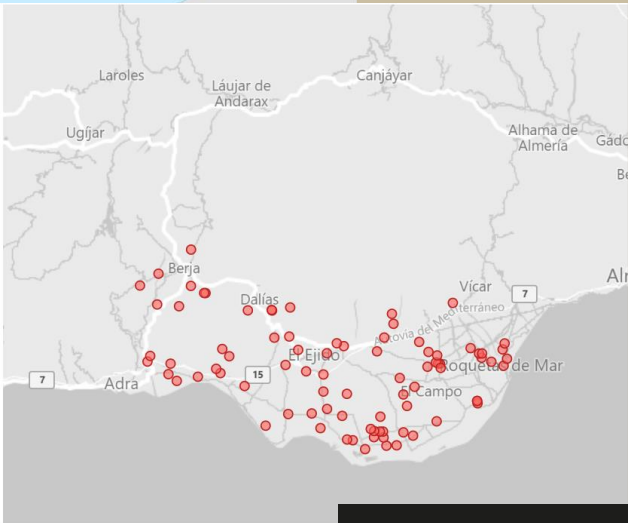
Risks, Challenges and Almeria HRIA

LYDIA TUNNARD (FRESCA GROUP)
HEATHER CADDEN (M&S FOOD)



THE BACKGROUND

ALMERIA, SPAIN



WHAT WE KNOW

GENERAL RISKS IN ALMERIA

- Undocumented migrant workers
- Poor human rights record
- Suppliers are made up of many small farmers
- Many farms are family farms, e.g. risk of child labour being reported
- Additional environmental risks such as plastic

Almeria: Europe's dirty little secret in southern Spain
Modern day slavery

'Consumers are not aware we are slaves inside the greenhouses'

Exploitation plagues Spain's farming province, with migrant workers paid below minimum wage and living in squalor.



'Farmers are digging their own graves': true cost of growing food in Spain's arid south

Intensive agriculture's insatiable thirst for water is turning wetland to wasteland, draining rivers and polluting groundwater



[Home](#) > [News](#) > [Costa Blanca North](#) > [Migrant Farm Workers in Almeria Spain treated like Slaves and denied any...](#)

NEWS | COSTA BLANCA NORTH | COSTA DEL SOL | SPAIN

Migrant Farm Workers in Almeria Spain treated like Slaves and denied any human rights

By Tony Winterburn - 21 April 2020 @ 16:42

1

M&S



New laws: How Spain plans to empower its precarious workers

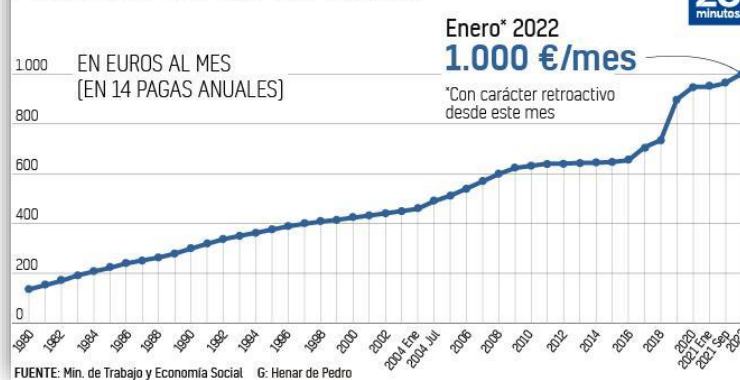
Spain's government has announced labour reforms that are set to come into force in 2022. The proposals include protections for temporary workers, severance pay, retraining funds and a whole host of other measures designed to lessen precarious work in Spain.

Published: 27 December 2021 13:50 CET

EU/Schengen | Migration | Spain

Spain Adapts Immigration Law to Include Migrant Workers in Labour Market

Evolución del SMI en España



05 September 2022

Spain: Government adapts immigration law to include migrant workers in the labour market

Spain cracks down on short-term contracts with labor reforms

ECONOMY NEWS

by Justice News Flash Report

Spain Launches Plan to Speed Up Processing of Work & Residence Permits

Volume

Risk Assessment

Media

Leverage

Supplier Partnership

Existing Partnerships

On the ground experience

Continuous Improvement



Fresca RA put our focus on UK SWS so we welcomed the collaboration

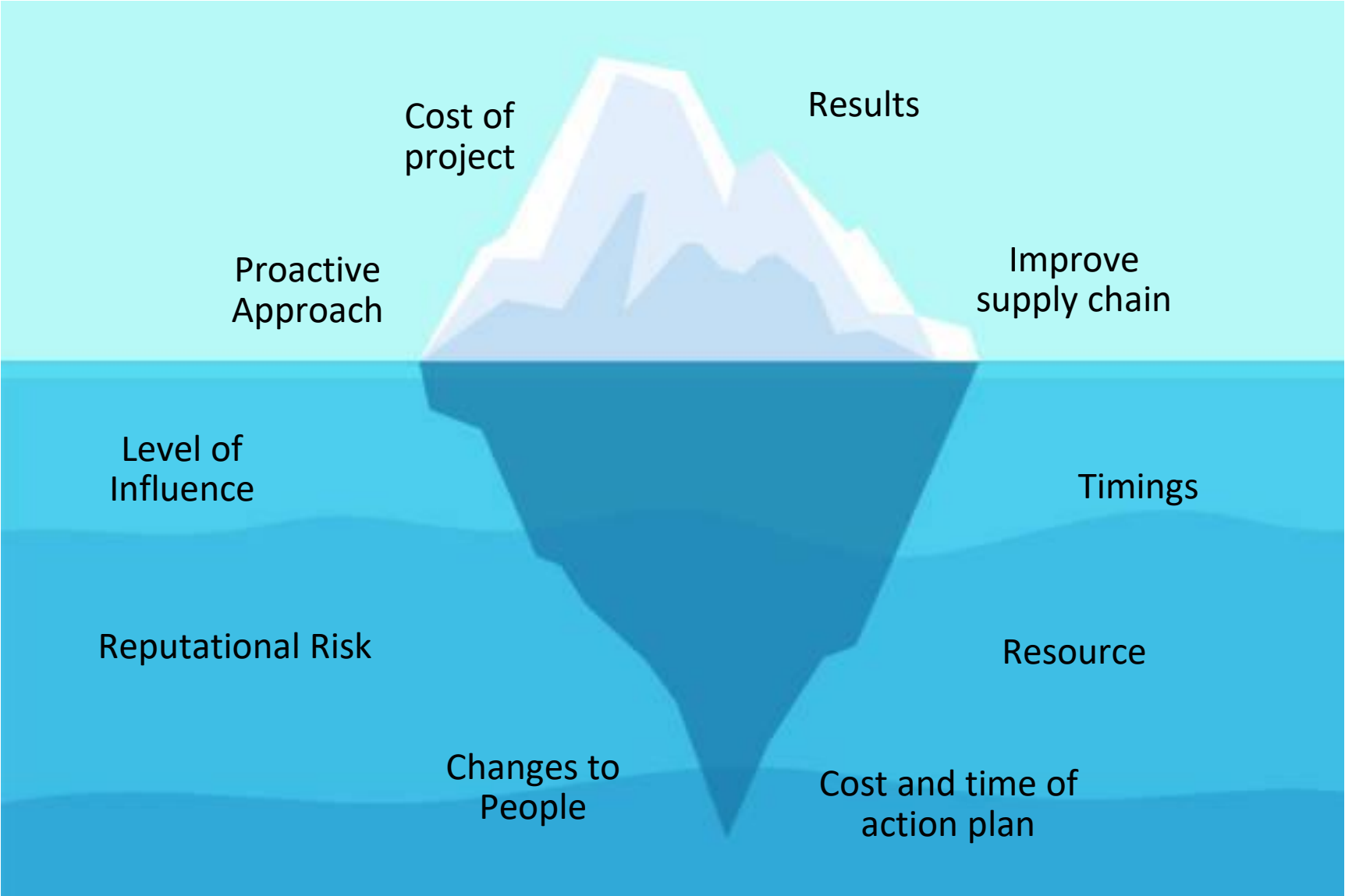
Sites were initially apprehensive but saw it as an opportunity

Fresca Spain helped to facilitate the assessment

There were some frustrations, e.g. Covid, agenda, communication

Overall a great opportunity to identify risks through a third party





LEARNINGS

M&S

Collaboration and Transparency

- Link into the Spanish Forums
- Collaboration/Transparency with Key suppliers
- Build on the ground partnerships

Capacity Building

- Supporting suppliers on meeting new/existing changes to laws to support on workers rights/migration/businesses

Beyond Compliance

- Audits are top line
- A deep dive
- Drives continuous improvement

Engagement and Focus

- Engaging non-Human Rights colleagues in a Human Rights topic
- Getting buy-in on the importance
- Know what to be working on now

NEXT STEPS

Formalising and agreeing action plan

Building partnerships on the ground

Sharing learnings

Working with numerous stakeholders

Supporting/Embedding into Ethical Forums/existing groups

Comparing risks from Almeria to the rest of Southern Spain i.e. Huelva, soft fruit

Measure impact

Best practice case studies

Ultimately improving conditions for people within supply chains

HRIA: Considerations for Selection

- On Morrisons priority risk list
- Commercially important product
- Strong existing supplier relationships
- In country support available
- Mitigation and improvement options already in place



M&S

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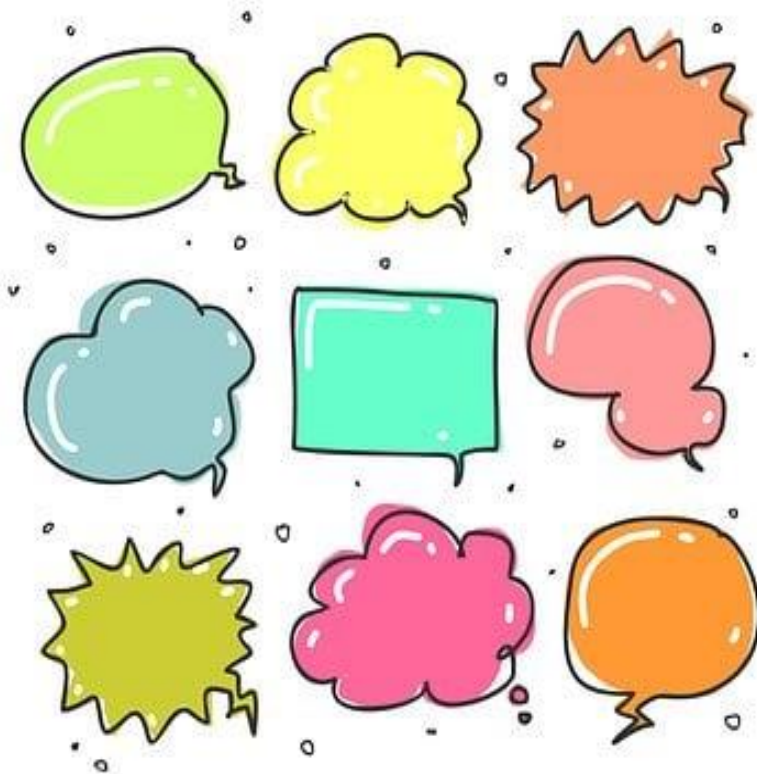


Human Rights Impact
Assessments – How are these
informing members due diligence
approaches?

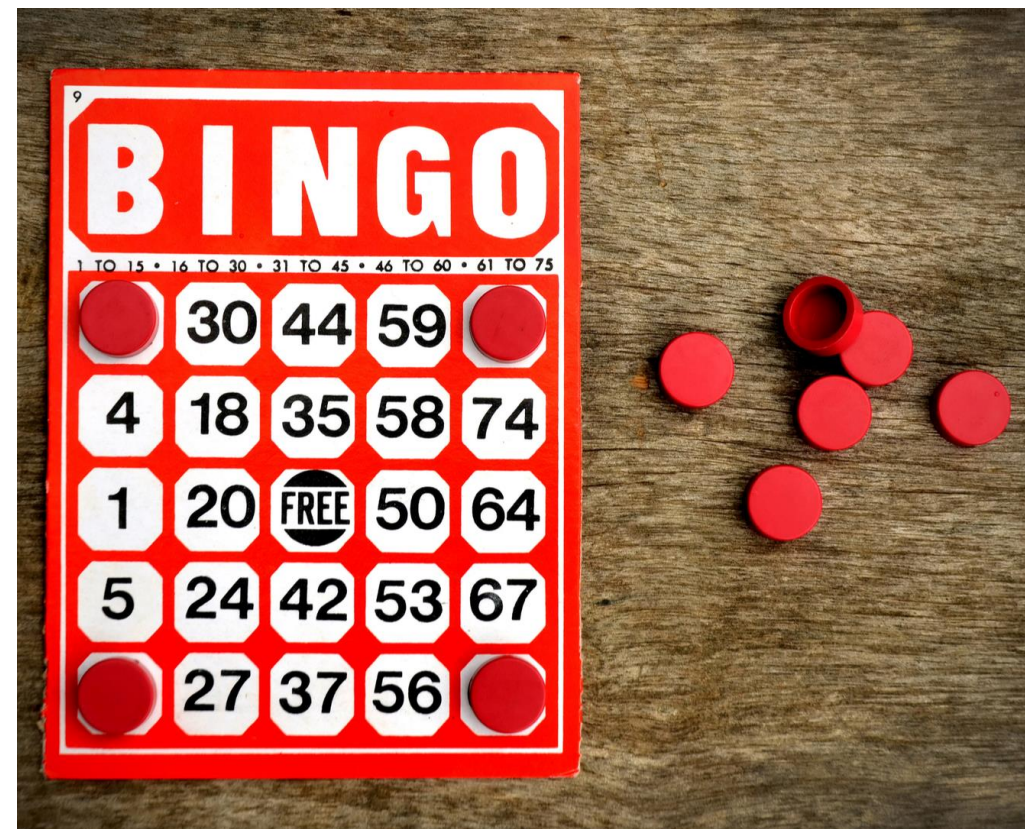
Q&A

HRIA Breakout discussion

- Are you thinking of conducting a HRIA?
- Is there additional information/guidance that would be useful for you?
- How can FNET support members' work on HRIAs?



Skills Bingo and Coffee



Workstream update





Employee Engagement Working Group – Elevator Pitch

The Food Network for Ethical Trade – 21st Sept 2022



A look back ...

➤ **The Working group was previously called Worker representation**

- Objectives was to support members develop effective representation & workers voice tools
- A separate project emerged from previous discussions on above objective
- June 2022 Work group evolved to Employee Engagement

The Worker representation project

- ✓ Sponsored by Coop, Morrisons, Tesco, Aldi, Waitrose, AM Fresh, Angus Soft Fruits, Avara
- ✓ Delivered by a project manager (Laura Falk) and Technical consultant (Gillian Haythornthwaite)
- ✓ Has developed resources and delivered pilots on training for managers & training for worker representatives
- ✓ These Resources will soon be available for FNET members to use & this will be communicated widely when available



Employee Engagement 2022

First meeting 22nd June 2022

- 20 attendees
- What was covered at meeting
 - ✓ A look back at what the working group did previously and a reminder of some resources available
 - (Such as FNET guidance worker-communication-representation-grievance-whistleblowing & worker representation training master deck)
 - ✓ A discussion to change focus from original objective 'to map out worker representation and impact of worker voice tools in UK' to focus on 'employee engagement holistically' to improve equity in the working relationship between All employees to bring about positive change within supply chains to improve the employment experience
 - ✓ Reason for change from “worker voice” to “employee engagement” - because part of the problem is labelling some people as workers and different people as managers.

Employee Engagement 2022

First meeting 16th August 2022

- 18 attendees
- What was covered at the meeting
 - ✓ Further development of mission statement & definition of scope of work –
 - ***Identify ways to remove barriers between people at work to promote communication & employee engagement***
 - ✓ We highlighted some of the barriers of communication
 - ✓ We looked at some solutions to overcome the barriers
 - ✓ Also discussed Possible outputs guidance documents & how this work would interact with other working groups



• Next meeting – 9th Nov 2022 –

Risk Assessment & Mitigation Working Group update

Aims for 2022:

1. Welcome and engage new members
2. Review resources created and update – e.g. guidance documents
3. Working together to develop mitigation strategies and tools

Working group Spring
<ul style="list-style-type: none">• Lots of new members, overview of work completed before
<ul style="list-style-type: none">• Discussion around previous FNET resources created
<ul style="list-style-type: none">• Feedback from working group and member session took the decision not to renew FNET online tool which required £6876 Exc. VAT per year.
<ul style="list-style-type: none">• FNET tool vs. SEDEX Radar – lots of discussion about what they do.
<ul style="list-style-type: none">• Presentation of the Sea Alliance Risk Assessment tool

Working group Summer
<ul style="list-style-type: none">• Met in person
<ul style="list-style-type: none">• Demonstration - how to use FNET RAT from a member
<ul style="list-style-type: none">• Presentation from Anthesis on country & human rights risk scores sources / methodology and updating process
<ul style="list-style-type: none">• Commenced resources review:<ul style="list-style-type: none">• FNET Mitigation Guidance document• Resolution of ethical audit issues guidance• Agreed useful but need revision

Risk Assessment & Mitigation Working Group update

Work plans for 2022. Next meeting in person – 4th October

- Sedex to present on Radar
- Review, update and finalise documents – two reviewed. Ensure the resources we produce maintain relevance
- How tools and documents are accessed (website) raised before as a challenge and needs a solution – ongoing wider FNET work
- Timescales for updating risk assessment tools and other tools
- Objectives and planning for 2023
- Focus on mitigation
- Any feedback on future topics?

Climate change risks and opportunities through a human rights / ethical trade lens



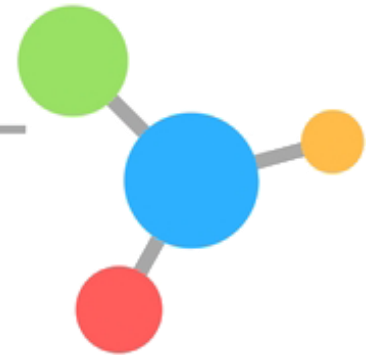
Themes Identified

- Working Group was established in May 2022.
- Further to the All Member meeting the current priority for the group has been to **define the parameters and objectives of the group and a develop a workplan** to meet member interests.
- First presentation on climate approach in July from **Innocent** and climate change risk assessment from **DPS**.
- Upcoming **working group meeting on 11th October** to build understanding of the scope and the intersection between climate change and human rights work. Meeting will be open to people from human rights and sustainability teams.
- Will also start developing a short **guidance documents** for members on climate change/human rights.
- Last week we **recruited a working group lead** - Natalie McWilliam (DPS)
- Also **looking for another co-lead**.

AGENTS WORKING GROUP

Member Lead: Georgia Worrall – Caterers Choice
Board Member: Shayne Tyler – TylerBladon Practical Ethics

FNET



OBJECTIVES



1. Improve agent members understanding of human rights risks in key sourcing countries and ability to mitigate risks
2. Increase understanding of agents / importers unique business situation
3. Understand and improve the challenge of leverage within our supply chains
4. Improve engagement between agents and retailer members

HISTORY



Previous meetings: What we have already covered

Oct 2021

Common Challenges

Nov 2021

Common Sourcing Countries

Jan 2022

Italy - Atlante

- Italian labour issues
- Agricultural risks
- Italian regulatory framework – recruitment and recruitment fee's
- Existing ethical trade initiatives

May 2022

Spain – M&S, Fresca Group & Spanish Ethical Trade Forum

- An overview of human rights risks in Spanish supply chains
- Presentation by M&S and Fresca Group on their recent HRIA in Almeria
- Existing human rights projects, organisations and other actors
- Discussion on the possibility of future collaborations and impact assessments to overcome leverage issues

COMING UP



UK (3rd October)

Leon Reed – Verisio Ltd

Social compliance risks and possible remediation – auditors perspective

Shayne Tyler – TylerBladon Practical Ethics

What have we learnt from this years seasonal workers scheme

Retailer Member

Reviewing retailer requirements and discussing the challenges we may face to meet these as agent / importer members

Q&A with all speakers

Thailand
Q1 '23

The challenge of
leverage
Q2 '23

Responsible Recruitment Working Group

“WG ambition is to enable members to take ‘one step forward’ in their journey to embedding responsible recruitment principles, including the embedding the Employer Pays Principle (EPP), in their own-operations and supply chains”

Ways of working of RR WG – to achieve ambition

Focus areas :

- Industry updates/external knowledge
- Risk assessment
- Policy development & implementation
- Labour providers
- Remediation

Capacity building

Safe space

Collaboration

Industry progress/EPP

UK recruitment fees sub-group

- Just Good Work SAW scheme app pilot
- EPP/GLAA standard
- Recruitment process mapping for visibility of fees being paid
- Labour provider due diligence
- Ukraine specific risks
- SAWs scheme learning 2022 & actions 2023

... some points on meetings this year

6th April 2022

- 21 attendees
- Session was a reset of working group activities
 - Agreed on what the working group would do for the rest of 2022 & the structure of meetings
 - UK –sub group met (severally) & worked spring early summer on JGW seasonal workers app

12 July 2022

- 16 attendees
- Member shared on emerging recruitment risks/ resources on RR (old and new)
- Specific areas of focus highlighted were media reports on recruitment fees by Nepalese / Indonesian workers
- Leading to the focus of UK sub-group on SAWs scheme

• Next meeting full WG – 27th Sept - 13.00 – 14.30 Hrs

• UK sub –workgroup – accelerated meetings on SWS scheme away from main WG (including a session today 21/9)



Lunch and Networking





Grievance mechanisms
– what makes them
effective?

Reminder of business benefits of effective grievance mechanisms

As well as providing support to the victim, effective complaints and grievance handling arrangements provide important benefits for companies too:

Business Benefits



Early warning

- Effective grievance procedures can help you identify and mitigate emerging human rights-related issues before they become a risk to your business



Early dispute resolution

- Resolving grievances and complaints at company level can help you avoid more formal, lengthy and potentially costly procedures



Corporate responsibility

- An effective grievance and complaints procedure can strengthen your overall human rights performance and due diligence and boost your corporate responsibility



Improved compliance

- Your industry may be covered by regulations pertaining to the handling of grievances and complaints, or there may be voluntary codes demanding effective grievance handling.



Corporate reputation

- Showing that you're serious about remediating your human rights impacts can enhance your reputation with internal and external stakeholders

What makes a grievance mechanism effective?



Certainly not this

What makes a grievance mechanism effective?

“Fundamental to effective remedy is that workers have an **effective voice in the workplace so that two-way dialogue and two-way respect can be established** and a mechanism established **to resolve problems before they become irresolvable...** each [business and trades unions] bring vital and distinctive competences to the process.” TUC

“Companies tend to overestimate users’ understanding and trust of grievance mechanisms. Processes that look good on paper, such as a suggestion box or whistleblowing hotline, often do not work in practice, mostly because of a **lack of access or trust. People don’t know where to report things, how the system works, or are unclear about the types of issue they can raise.** They may believe their grievances will not be addressed or fear that there will be negative repercussions if they speak up.” Oxfam

Requirements for an operational grievance mechanism?

Legitimate

- Mechanism is fair and trustworthy

Accessible

- Known to all the stakeholders it is meant for, provides adequate assistance to those who may face barriers to accessing the complaints procedure and process

Predictable

- In terms of process and available outcomes

Equitable

- In terms of fair access to information, advice and expertise

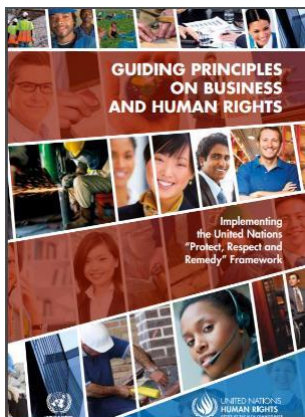
Transparent

- Keeps those involved in a complaint informed about its progress, and by providing sufficient information about the process to build confidence in its effectiveness

Rights-Compatable

- Such as the Universal Declaration of Human Rights and the ILO's core conventions

Source of continuous learning ➤ Drawing lessons to improve the mechanism, and prevent future harm



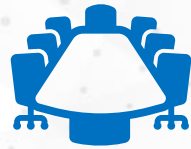


Perspectives from Kakuzi's Operational Grievance Mechanism *'SIKIKA'*

Top Level Facts



3,000 employees
Wages Ksh 600 Million per Year



Listed on the NSE
1,300 Shareholders



First Large Scale Blueberry
Producer In Kenya



4,500 head of Boran
Beef Cattle



3,000 Small Holder
Avocado Farmers



Largest Kenyan Producer
Exports Ksh 1.3 Billion per
Year



Largest Kenyan Producer
Exports Ksh 1.0 Billion per
Year



1,500 ha of Sustainable
Commercial Forestry



UN Sustainable
Development Goals



UN Guiding Principles on
Business & Human Rights

What is Sikika?

- Systematic, transparent, nonjudicial process for receiving, investigating, and addressing company-related grievances from affected communities, workers, farmers who supply produce and other relevant stakeholders.
- Focusses on the victim by offering safeguards such as confidentiality, counselling and other measures as necessary.

Background to setting up Sikika

- The Existing mechanism was inadequate for the Grievances being received
- There was need to enhance the internal mechanism to so as to base it on OGM effectiveness criteria of legitimacy, accessibility, predictability, equitability, transparency, rights-compatibility, make it a source of continuous learning, engagement and dialogue
- There was need for an external independent Mechanism free from Company direction and control but without compromising the OGM effectiveness criteria .

Review the status of the existing Mechanism

Scoping Phase

- To understand the ecosystem for remedy options available to stakeholders
- Contextualize the OGM as part of broader initiatives the Company was undertaking including due diligence procedures eg HRIA
- The methodology included site visits, document review and engagement with a broad range of internal and external stakeholders, including national-level stakeholders and international stakeholders.
- The views were considered alongside good practice and guidance from other OGMs and the UNGPs.

Design



Tier 1

**for grievances about
operational impacts**
that can best be handled and
resolved internally.



Tier 2

**for grievances that
raise severe human
rights impacts**

Independent Human Rights Grievance
Mechanism monitored by an
independent monitor and assisted by
a local advisory panel.

TIER 1

Access Points for Lodging Grievances



**Mobile-phone
line**



In Person

Grievance Officer

CLOs

Extension Officer

Managers + Supervisors

Community Office

Clinical Service Team

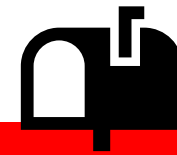
Shop Steward



Letters



Email



**Suggestion
Box**

Process Steps + Responsibles





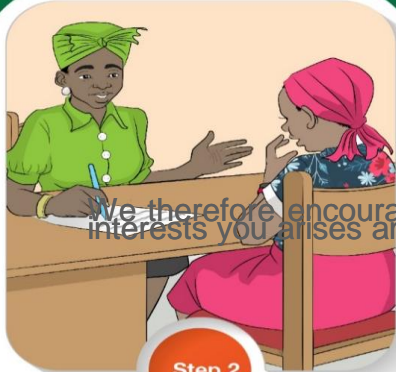
SIKIKA



Step 1

Receive

Your verbal or written concern or complaint can be submitted via phone, letter or the Kakuzi community center.



Step 2

Register

A Kakuzi Officer will register your complaint. You will receive a copy of the grievance registration form.



Step 3

Review

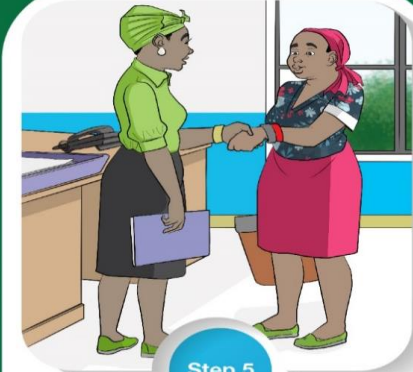
The Kakuzi grievance officer will review the complaint and refer it to the relevant department for investigation.



Step 4

Investigate

Investigations will start within 5 days of registering the complaint and will involve all relevant parties. The Kakuzi Grievance Officer will keep you updated on the progress of investigations.



Step 5

Resolve and Closure

Once the investigation is completed, you will be contacted by the Kakuzi grievance officer to discuss the proposed resolution. Unless the investigation takes longer, you should receive a response within 30 days.

TIER 2

Tier 2 Access Points



Letters

Independent Human
Rights Grievance
Mechanism (IHRM),
P.O. Box 6206
Thika, 01000



In Person

Tier 2 Legal - Admin

Kakuzi Clinical Service
Team

Kakuzi Grievance Officer
(referral from Tier 1)



Confidential Email

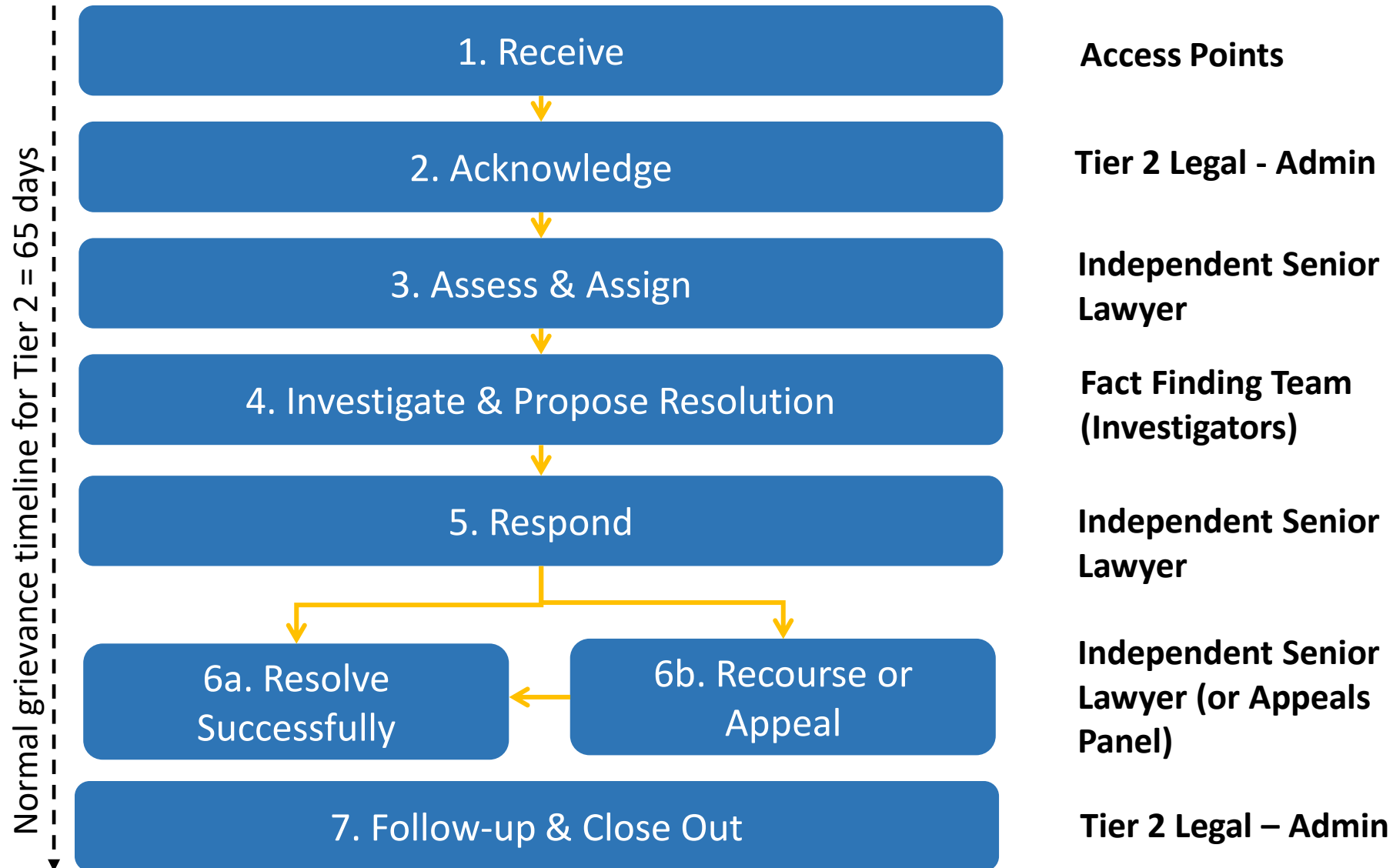
complaints@sikikatwo.co.ke



Mobile-phone line

0800-7211157 (*toll-free*) or 0715444111

Process Steps + Responsibles



SIKIKA

Independent Human Rights Mechanism

SIKIKA consists of two parts, one managed by Kakuzi, another managed independently. The independently-managed mechanism is only for complaints about severe human rights impacts involving personal injuries that Kakuzi may have caused, contributed to, or is directly linked to through its operations or business relationships.

Step 1 – Receive

Your verbal or written complaint can be submitted confidentially via phone, letter or the office of the Independent Human Rights Mechanism.



Step 2 – Register and Acknowledge

Within 3 days, someone from the Independent Human Rights Mechanism will register your complaint and discuss if you need urgent support and/or protection. You will receive an acknowledgement slip of the grievance registration form so that you know your complaint is being dealt with.

Step 3 – Assign and Interview

Within 10 days, an independent investigator will invite you to an interview meeting. You will be asked to make a statement to explain what exactly has happened to you. You should bring any evidence you may have, and you are welcome to bring a trusted person.



Step 4 – Independent Investigation

The independent investigators will verify all information and evidence you submitted, visit the relevant area and collect any other useful information. They may also interview witnesses and Kakuzi personnel. The independent investigators will keep all your information confidential and will never share personal information.

Step 5 – Independent Decision

After reviewing the investigation report, the Head of the Independent Human Rights Mechanism will decide whether there is sufficient evidence to support the complaint or not. You will be invited for a meeting, or someone will visit you, to explain the decision and discuss any proposed remedial action(s), where applicable.



Step 6 – Resolve

If you agree with the proposed resolution, it will be confirmed in a settlement agreement and/or letter. If you do not agree, you can either leave the matter, write a formal appeal to the independent Appeals Expert, or take the complaint elsewhere.

Step 7 – Closure

After the agreed actions have been completed, the complaint process will be closed. Unless the investigation process takes longer, your complaint should normally be resolved within 65 days.



If you have a complaint about a severe human rights impact, please visit our office, call us on 0740888333 or email us at complaints@sikikatwo.co.ke or write a letter to the *Head of Independent Human Rights Mechanism*, P.O Box 6206, Thika

Challenges

- First OGM in Kenya and Second in Africa-We had to create own story
- The evidentiary threshold of balance of probabilities raises high expectations and encourages complainants who simply want to test the system. The system can easily get overwhelmed with high numbers and unfavourable outcomes will likely not be well received.
- Developing an OGM is quite expensive. Partnering with internationally recognized consultants was key in supporting the process.

Effectiveness review

- Develop a checklist alongside the effectiveness criteria under UNGPs where feedback or steps taken in the development of the OGM can be compiled and updated through the different phases of development and implementation.
- Case resolution procedure includes holding close out discussions with complainants regarding satisfaction levels related to the process and outcome of the cases
- Where gendered impacts were identified, we ensured that safeguards are provided to fill the gaps.
- The company communicated a zero-tolerance to retaliation and SIKIKA was integrated into recruitment and disciplinary procedures of the company as a safeguard.

In Conclusion

- It is important to note that none of these is a straightforward process. This is about continuous learning, communication and listening. Understanding that in doing so we may also get some things wrong is critical and something we should not be afraid to admit to but use those challenges as lessons.

Waitrose & Partners and Oxfam

A photograph of a large outdoor tomato drying facility. In the foreground, a large tray is filled with sliced tomatoes, laid out in neat rows. In the background, several workers wearing green shirts and white or red hard hats are standing on a raised platform, working with more trays of tomatoes. The facility is enclosed by a black mesh fence. In the distance, there are some buildings and trees under a clear blue sky.

Grievance Mechanism to Increase Worker Voice - Southern Italy

Overview of project phase 1

Aim: Provide farm workers with a way to raise issues and concerns, and enable the supplier/Waitrose to hear workers' concerns and identify necessary actions to support them.

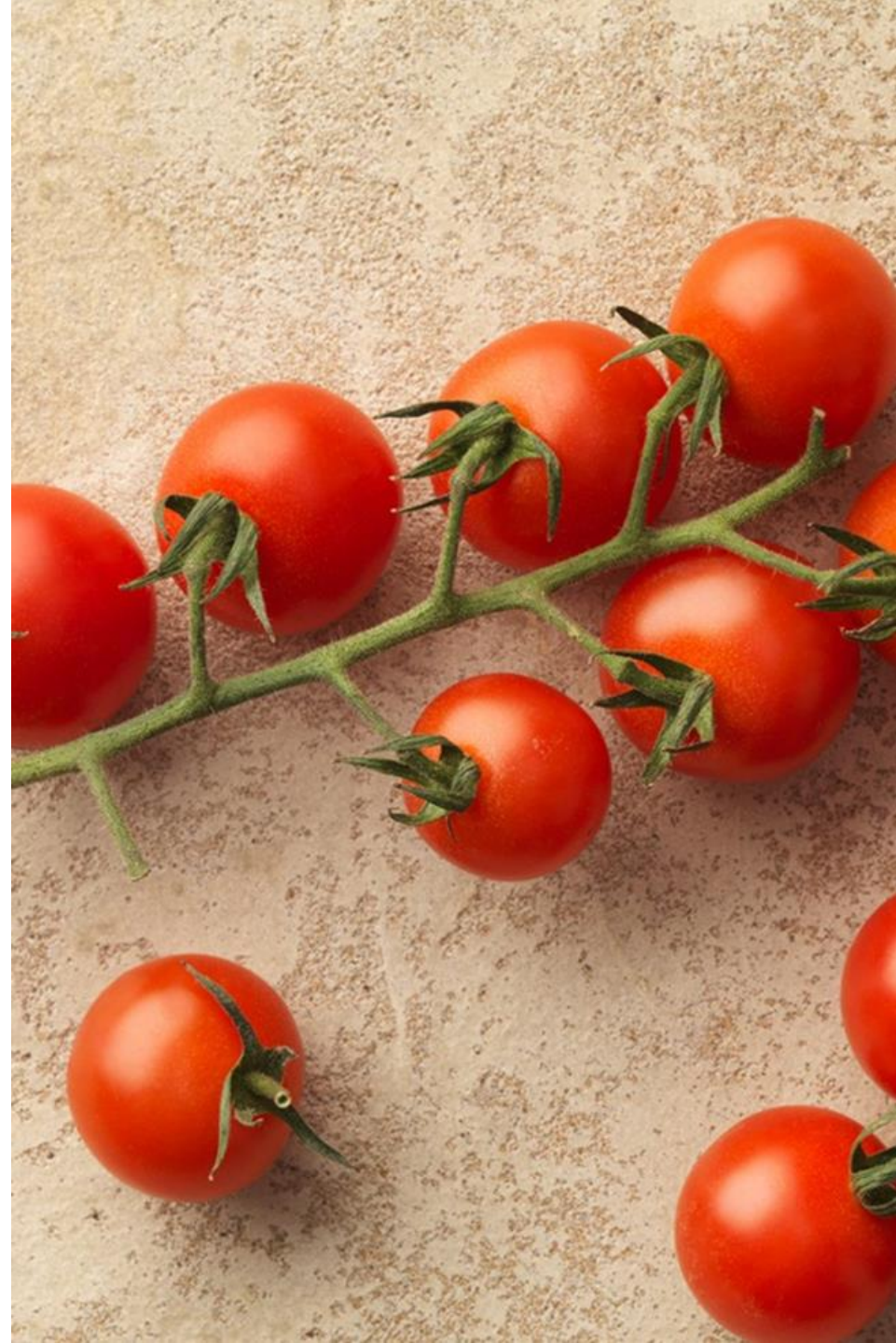
Objective: Support the supplier and its workers to co-design a grievance mechanism and ensure that workers' voice and preferences are heard and considered throughout the design process.

Drivers:

- Prevalent use of illegal contracts (black and grey work) and recruitment practices
- Poor working conditions and cases of forced labour
- Lack of effective grievance mechanisms for workers in Italian tomato industry

Steps:

- Provide advice to the supplier and relevant stakeholders
- Support the creation of a task force at the site to discuss and implement change
- Create an "exit strategy" so the efforts can sustain after the project



Outcomes - Fiordelisi

- **New communication policy.** Encompasses to include not only workers' grievances but also other types of communication.
- **Multiple 'new and improved' channels for raising issues.**
 - Placing **suggestion boxes in private areas** for workers to submit without being seen
 - Allowing for grievances to be **raised verbally** as a way to overcome literacy barriers
 - Guaranteeing **confidentiality**
 - Having **elected employees** to provide support to workers when raising a grievance and throughout the process
 - **Allowing workers to choose** the channel that suits them
- **Increased communication with workers.** Achieved through improving training, implementing a virtual noticeboard and producing a user-friendly information booklet
- **Grievance committee to ensure worker involvement in mechanism implementation.**
- **Grievance monitoring and learning system.** System in place to monitor grievances and their outcomes to ensure that remedy is provided when needed and that the company can learn from these processes.

Outcomes - Waitrose

- Hands-on experience using worker-led approaches to improve worker voice at a supplier site
- 'Blueprint' for a worker-led approach that can be scaled up to support capacity building
- Insights into how some workers envision effective grievance mechanisms

Lessons learnt - Waitrose

- Improvements to grievance mechanisms do not necessarily have to be large-scale. Sometimes it is about communicating what is existing in the right way
- Technological solutions are not always the answer. People like talking to the *right* people
- Diversification of methods is preferred



PLAY VIDEO

Grievance mechanisms –
what makes them
effective?



IMPLEMENTING EFFECTIVE GRIEVANCE MECHANISMS



OXFAM

Monica Romis

Private Sector Human Rights Advisor

Oxfam Business Advisory Service

- About Oxfam and the Business Advisory Service
- Introduction to grievance mechanisms
- Summary of OBAS support to companies: overview and learning
- Q&A



Oxfam is a global movement of millions of people who share the belief that, in a world rich in resources, **poverty isn't inevitable**. We tackle the root causes of poverty and create societies where empowered individuals can thrive. We will always act, we will speak out, and **we won't live with poverty**.



Working in more
than 90
countries



Over 22 million people
reached in 2017/18
53% were women and girls



Working with 3,000
partner organisations
and 50,000 volunteers

Who We Are: Oxfam Business Advisory Service



OBAS provides **companies with advice and guidance** on key issues and challenges in their sustainability strategies with the aim of **driving forward more positive business practices** and contributing to a future where business plays a leading role in **overcoming poverty, respecting human rights and empowering women.**



One-off
advice



Ongoing advice
& support



Bespoke research
& reports

What Grievance Mechanisms Are

A grievance mechanism (GM) is a 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.

Operational grievance mechanisms are **established at site-level** with the goals to:



Enable workers and affected communities to feel empowered to speak up and have their concerns acknowledged and addressed.



Be easy to access and efficient in providing remedy by being located closest to where problems occur.

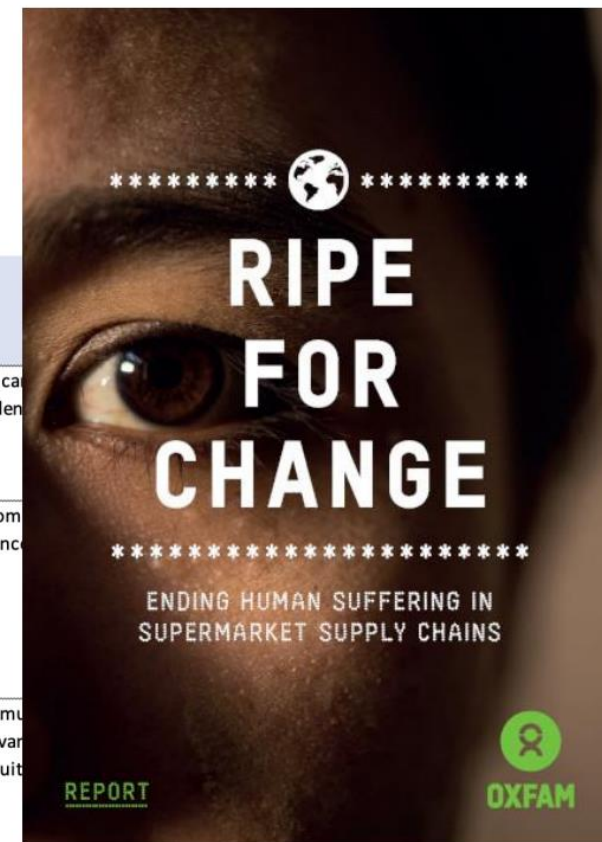
Why Grievance Mechanisms?

THREE PILLARS of the UN GUIDING PRINCIPLES



Behind the Barcodes Campaign & Scorecard

T4	Grievance mechanisms: Does the company ensure that people affected by its supply chain activities have access to grievance mechanisms and remedy?	
T4.1	The company identifies potential barriers faced by different categories of workers and small-scale farmers - with a particular focus on women - in accessing grievance mechanisms and remedy and outlines how it addresses these barriers i.e. by allowing for low literacy.	The companies can... with MSIs, to identify mechanisms.
T4.2	The company has a public policy and time-bound plan for ensuring that workers and small-scale farmers across 3 high risk food supply chains have access to effective grievance mechanisms and to remedy, provided by the company alone or in collaboration with other companies (i.e. through a trade association) or by a third party (i.e. trade union) supported, enabled and/or welcomed by the company.	For example, companies ensuring grievance effectiveness.
T4.3	The company has a public policy and time-bound plan for ensuring that workers and small-scale farmers across all its highest risk food supply chains have access to effective grievance mechanisms and to	To score, plans must... the UNGPs grievance predictable, equitable



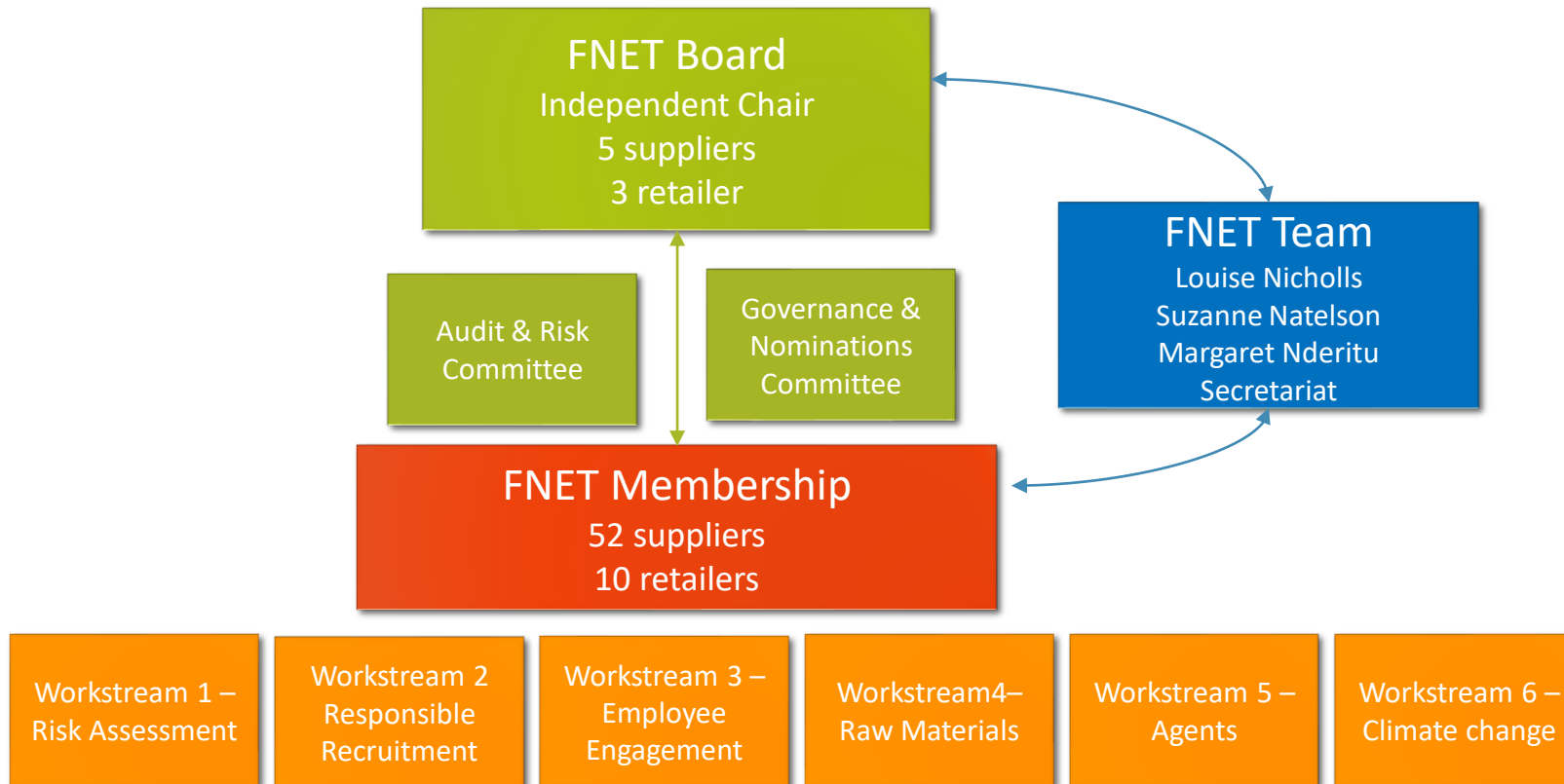
Why GMs are good for your business





2022 has been
a year of
change

Changes to governance and ways of working



- New Governance structure
- New FNET Team
- New Financial accounting process
- Changes to the Articles of Association
- Additional new workstream
- Return to in person meetings

Membership has increased to 62 members



What has happened so far this year?



17



13+



2+



31



6746



2



10+

Preparing for 2023

- **Cost of Living and inflation** - Inflation projected to peak later in 2022 and then fall back. Our costs are indicating double digit increases, we should expect other product and services to show similar increases.
- **Member considerations** - Recognition that cost-of-living crisis may hit certain members harder. We need to be cognizant of member expectations and needs. Will they need FNET to pay a more active role e.g. SAWS and add more value to justify maintaining membership.
- **Resourcing structure** – Our budget has little flex for members and does not include payment for board chair or INEDS

Membership fees to rise for 23/24 from £3080 to £3388 (10% increase)

Quick fire questions





Experiences on recruitment of non-UK workers in 2022 (SAWS and other schemes) to feed into the October SAWS roundtables