

FNET's Empowering Work Working Group

Minutes of the meeting

5th October 2023, 10.00 – 11.30 – In Person at AM Fresh Alconbury

Attendees:

Name - Business		Name - Business	
1. Andrew Nicholson - 2sfg		15. Kealey Burbridge – Hilton Foods	
2. Harriet Cole – Berry World		16. Marie Scurfield – Angus Soft Fruits	
3. Fiona McKerrow - Dole		17. Julia Black – Hilton Foods (Board Sp)	
4. Helen Chan - AMTFresh		18. Clare Donovan – Worldwide Fruits (L)	
5. Angela Posey – AM Fresh		19. Lydia Tunnard – Fresca Group - (L)	
6. Kathy Fung – World Wise Foods		20. Louise Nicholls - FNET	
7. Lucienne Gilmore - AMFresh		21. Linda Beresford FNET	
8. Charlotte Tulloch Cotton – Oldershaw Gp		22. Abi Williams – Avara	
9. Luke Reid – Noble Foods		23. Megan Bailey – AM Fresh	
10. Nahuel Tunon – Sainsbury plc		Online Attendees	
11. Nicola Thomas – Keelings		24. Carl Cooper – Westbridge Foods	
12. Peter Rogers – MM Flowers		25. Victoria Browne – Westbridge Foods	
13. SGil Bishop – Berry Garden		26. Jim Swan – Ethical Food Company	
14. Susan Sellar – DPS Ltd		27. Carrie Worsley – Asda	
		28. Danielle Cairns – Asda	
Apologies			
Robin Trenbath – Co-Op		Lucy Oldershaw – Oldershaw Group	
External Speakers			
Lydia Stirling - WRU		Sara Petersson - ETI	
David Camp - ALP		Monica Romis - Oxfam	
Kealey Burbridge – Hilton Foods			

Agenda for the day:

Agenda	
Timing	Item
10.00 – 10.15	Welcome and introduction of attendees
10.15 – 11.00	Setting the scene – importance of GMs
11.00 - 11.20	Lydia Stirling – Welsh Rugby Union
11.20 - 11.35	Sara Petersson - ETI –baseline research on Grievance Mechanisms in Agricultural Sector
11.35 - 11.50	Table discussion / to reflect on what people have heard
11.50 - 12.00	Present Feedback of discussions
12.00 - 12.10	Kealey Burbridge -Hilton Foods HR Manager on ‘Speak up Hilton’ Hilton’ case study
12.10 - 12.25	Retailer Summary of requirements & aligning with UN Guiding Principles of Effective Criteria GM
12.25 - 12.40	Q & A Discussions
12.40 - 13.40	Lunch
13.40 - 14.10	Monica Romis - Oxfam on the GM work – Implementing effective GMs, the toolkit
14.10 - 14.20	David Camp - Update from SWS workstream 1 and the Nottingham University - David Camp
14.20 - 14.50	Group work & reporting –what constitutes effective GMs??
14.50 - 15.10	Present Feedback from group work
15.10 - 15.20	Individual sharing of two actions points from workshop to improve business GM
15.20 - 15.30	AOB & Close

Meeting Recording link is [Here](#) from the start of the session and [HERE](#) for the part 2 from Oxfam

The Slide deck [HERE](#)

(Recording is available to view for a limited time of 2 Months)

Discussion

Setting the Scene -Louise Nicholls

The importance of grievance mechanisms to businesses includes and early warning to wider issues; early dispute resolution; corporate responsibility improved compliance and protection of corporate reputation.

Q – We don't often get to grievance if the worker is unhappy, they go to the worker committee or through their 121's. Is there an obligation to raise this as a grievance if it is resolved another way earlier in the process?

A – Lets look at the health and safety and learn from it, whereas we used to record accidents, we not record near misses as a precursor to preventing accidents. This is a much better way than to wait for the grievance.

Q – Is it bad to have no grievances?

A – interesting question looking at the TUC definition of what makes an effective mechanism. If we stood in the shoes of the people in our supply chain and asked them, would they believe the grievance mechanisms are effective? Today we want to step in the shoes of the most vulnerable people and walk in their shoes to test out the various methodologies for accessing the GM's. We want to open the conversation to understand all the issues and the opportunities to making them more effective.

Q – What would success look like for you today?

A – A grievance policy that works for example the whistleblowing policy in our company is very well informed and promoted but less awareness about the grievance process, so this is used for what should be grievances. We want to improve the grievance process.

A – Should there be a definition of what can be used as a grievance? How basic such as rubber matting on concrete floors

A - we need a more informal process as the current process is too formal for the workers.

A – we do employment surveys annually, but this process may stop grievances as the survey is confidential whereas the grievance is not. That's worth looking at.

A – the whistleblowing hotline costs money so let's use it to manage all the grievances

A – whistleblowing is protected in what it can be used for in our business.

A – we need to make it simple for workers to access a grievance, too many hotlines for all the retailers can be confusing for workers, if there are multiple versions trends may not be captured for regular events.

A – if we don't get it right then workers will feel they don't have a voice and just leave the business, which means we must go and recruit which is another cost to the business.

Summary – we need to simplify the process for employees and ensure that they are clear which mechanism is used for the various forms of GM's whether informal, formal or legal. We need to walk in the shoes of the workers to understand better what works for them. Trust of the managers and line leaders is critical, and training needs to be provided for them to be effective in handling any issues from workers. Ensure all the languages of the workers are covered to access the GM's.

Lydia Stirling – People Director WRU Discussion and Questions

Info – Lydia presented a compelling message highlighting that despite having Grievance Mechanisms at WRU, these were poorly accessed due to historic trust issues within the organisation.

The journey Lydia shared was accelerated by the catalyst of BBC Wales TV investigation claims of sexism bullying and sexual harassment in Wales Rugby Union in January 2023. Much of what was contained in the TV programme was historic 2016-2019, despite only 2 formal grievances being raised which were much later than the events took place. There were a lot of informal complaints such as conversations of discontent and emails containing issues with line managers, but no formal complaints, this was not considered as these were not formal complaints. As a result, a couple of internal reviews were undertaken to review culture, environment, and governance and structure over a 3-year period. Whilst the catalyst was the TV programme, there was obvious concern in the organisation as these external reviews were undertaken.

The magnitude of the issues however reported resulted in an independent review was undertaken to review all the issues. In addition, a review by Equality and Human Rights was actioned with legal ramifications. This whole process can indicate how wrong it can go in an organisation when it isn't right.

Lydia shared the issues that went wrong: -

- Informal complaints not dealt with
- Ineffective reporting to the board – do we have the right reporting structure? Do we measure these?
- Lack of trust and psychological safety – this is critical to ensure issues are raised
- Way it's always been done – resistance to change can slow down processes
- Grievance procedure not being used – Good procedures not used will indicate a lack of trust
- No Effective whistle blowing line – Nowhere to report issues in a psychological safety

The ongoing journey for change to address the issues that were identified included: -

- Hired new resources in HR at senior level
- Engagement surveys
- Board structure for gender and skills
- Line manager training with external partners
- Implement a whistleblowing line
- Develop EDI policy, network and published the complaints procedure

Summary – We need to ensure the safe space created by **Have a Voice** channel is also replicated internally when speaking to line managers. This can be an issue where there is a culture of hierarchy, but can be improved when leaders are more approachable, relatable and be heard. Don't

underestimate how staff have a different view as to what is acceptable in term of behaviour. What matters most is how the *individual* feels not how the *perpetrator* feels, and this can be different across generations and cultures. These conversations must remain confidential but also group conversation can connect people in an inclusive way to share their thoughts from both sides of the discussion. Setting parameters is essential in ensuring the most quality output for this work. Working with an independent consultant with experience on restorative practice technique was critical to its success.

Sara Petersson – Ethical Trade Initiative – Grievance Mechanisms in Agriculture

The current 15month project is to prevent and remedy the cyclical slavery of North and West African migrant workers in agriculture supply chains of UK businesses in selected regions of Spain and Italy through setting up grievance mechanisms.

Sara shared the status of the project, which is a 3-phase project covering situational analysis, pilot of grievance mechanisms and modern slavery prevention network, supported by UK retailers, NGO partners and some FNET members with supply chains in the region. The plan is to use existing structures and NOT to reinvent new GM's but to make them effective to ensure they are working.

Initial research in conjunction with Oxfam Business Advisory teams has shown the preliminary findings that workers have a diverse background from West and North Africa; both legal and undocumented workers were interviewed; detection of a number of cases of caporalato were found; poor language (Italian and Spanish) spoken despite workers being in country for up to 15 years; some workers in Italy had only arrived in preceding 2 weeks and were already working in the fields demonstrating the poor shape of agriculture and the need for these workers in the fields; Lack of understanding of their contracts; weak understanding of GM's; preference to speak to their line manager directly as they are aware of these; In Spain, the supervisor was found to be crucial to the welfare of the workers as this may be the only point of contact; GM fatigue; lack of wish to integrate and participate in training programmes.

Sara shared the next steps in how to provide information to workers before they come into the supply chain, especially in Morrocco, Tunis is more of a challenge due to political landscape.

Q – How can FNET members get involved in the project if they have growers in Spain and Italy if they are not already involved?

A – Please contact Sara Petersson who can share more information Sara.Petersson@eti.org.uk

Q – Is it a risk if workers are asked to speak to there manager directly such as caporalato?

A - GM's should be seen as one of the channels used for GM's but may not be effective for several other issues such as bullying and harassment. So, we need to ensure there are other channels available to workers. As part of the research, we are looking at all the different types of issues so we will look at mechanisms to effectively handle all of these.

Summary – ETI supported by Oxfam aim to build on some of the learnings from today's session on effective GM's to ensure they are effective for workers in the agriculture sector and to improve the information prior to travel so they are aware of their contracts and access to information with a view to roll out in early 2024 the GM model in Spain and Italy.

Kealey Burbridge – Hilton Foods – Speak Up

Kealey shared the background to why the Speak Up pilot was started to improve the effectiveness of existing mechanisms for workers at Hilton Foods. The team looked at current channels and processes in place in Hilton from informal chat with line manager to formally through the Grievance Procedure. Using the UN guiding principles and Oxfam toolkit the team reviews the whole system with a dedicated team including workers and agency workers as well as HR team.

During the process review all the issues that matter to workers were highlighted and put into different groupings as well as overlaying with the different mechanisms available to workers. Workers agree the important issue was speed of action to the GM, that it should be confidential, remain anonymous, That the person investigating has the knowledge to investigate, individuals received a direct response and what action was taken for each issue.

The framework was designed around all the channels and a “Speak Up” officer was appointed who handles all the feedback of the issues raised.

Big PR for the process for all the staff to educate them on how to use the policy, how to access it, we prepared a road show and ensured good communications and roll out. We wanted everyone to remember to safely access the system.

Kealey shared the data metrics to the Speak Up since launch, including time closed out, numbers raised, which channel they were raised in, and the category of the issues raised.

Q – It must be a challenge having anonymity as part of the process. How do you manage that?

A – If you want us to investigate and follow up with you its better if you can share your details with us, we can get a better response. Some issues demanded anonymity; others requested line manager involvement where they could be solved quicker; but training for the line managers would be important to ensure they had the skills to handle.

Q – How often do you need to repeat the process to refresh the system to keep it alive and how do you pick who are in the workshops such as vulnerable workers

A – The business has a category list of kinds of workers they wanted to recruit for the workshop, but we didn’t overlap with other meetings. Initially attendees were very shy, but this progressed. Delicate negotiation to recruit the vulnerable workers to cover all kinds of worker. The word Grievance was also a challenge as some did not want to participate in a negative sounding initiative, so we changed to SPEAK UP.

A - In terms of turnover of staff, or reviews of participation, we will refresh when needed, looking at yearly.

Q – Are you happy that some of the channels are less used than others and will you do anything to make them more accessible?

A – Some are more relevant to some grievances than others, and there is an employee app. Most want a simple solution and easily accessible some cannot read and write, so we need a solution that fits everyone’s skills. The different channels allow for this.

Q – Is it available in languages other than English? And will you roll out to supplier sites?



A – It is available in different languages of our workforce including all policies and procedures in all relevant languages.

A – Re supply chain we have a mandate to roll out to other Hilton sites across the business. We now have the framework in place, and we will then develop the workshops across the other businesses as each site may be different, what won't change is the Speak up.

Summary: As a result of Speak UP Hilton are receiving fewer formal grievances year on year which is a measure of the success of the less formal channels. It was awarded for good collaboration and engagement for workers.

Monica Romis – Oxfam – Grievance Mechanisms – Insights from Toolkit Implementation

Monica shared an introduction to operational grievance mechanisms established at site level. The key elements are:

 <p>Enable workers and affected communities to feel empowered to speak up and have their concerns acknowledged and addressed.</p>	 <p>Be easy to access and efficient in providing remedy by being located closest to where problems occur.</p>
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We learned that Different approaches need different solutions depending on the issues to be raised. "Not one size fits all"

Why? – Are Grievance Mechanisms good for business?



Monica shared how to make GM's effective whatever the channels are that are provided. They should be assessed against the UN Effectiveness Criteria which are that they should be: -

UNGPs Effectiveness Criteria

 <p>1. Legitimate</p>	 <p>2. Accessible</p>	 <p>3. Predictable</p>	 <p>4. Equitable</p>
 <p>5. Transparent</p>	 <p>6. Rights compatible</p>	 <p>7. Source of learning for the company</p>	 <p>8. Based on engagement and dialogue</p>

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7. Source of learning for the company
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Oxfam developed a Grievance Mechanism toolkit with Reckitt which provides practical steps for companies with different maturity levels to develop effective operational (site) level GM's with a focus on Tier One manufacturing suppliers.

The assessment tool is part of the toolkit which can help businesses move through their maturity levels from beginner, to established to advanced.

The toolkit also shows practical "How-To" guides for various elements of the toolkit such as setting up a task force, how to plan, design and implement grievance mechanisms.

In practical terms Monica shared some of the additional benefits users had when using the toolkit such as reduced turnover and absenteeism as well as a better dialogue between management and workers.

Common challenges raised by pilot companies involved in the toolkit were surprising similar across all businesses, sectors, geographies which was interesting. The example was shared and the solutions to address each on was shared during the presentation. Common issues: -

- Understanding of the Meaning of the Word grievance and the scope of GM
- Understanding the need to engage directly with workers to strengthen GM
- Identify barriers different groups of workers might face in accessing the GM
- Involving workers in managing the GM
- Keeping workers informed about the functioning of the GM
- Understanding how to utilise the grievance data to strengthen the GM

Q – Do we need to call them grievance mechanisms?

A – No as we have seen earlier today, workers have a different understanding of the word Grievance and it can be emotive, your team may choose a different word such as Speak Up, Your Voice etc.

Q – Of the 24 companies have employed the toolkit, of those how many have used workers to run the GM's?

A – That's a good question, possibly 5 or so only.

Summary – Use the Reckitt Oxfam tool to help you set up your project team and select the persons able to represent all worker demographics including vulnerable workers and agency. Understand the current channels and why they do or don't work, what are the issues and address these, Trust is a key to getting good engagement as well as workers seeing the system is working by sharing the outcomes both personally and at a group level.

David Camp – Seasonal Worker Scheme Effective Grievance Mechanisms

David shared the project scope and process for developing GM for the Seasonal Workers Scheme in conjunction with Nottingham University. The lessons from today's call will help in the process.

Concluding points

1. Members worked in groups to review own mechanisms and how to make them effective
2. All attendees shared the Key learnings from the day
 - a. Different case studies showed different methodologies was helpful
 - b. How to set up a Grievance Committee
 - c. Build awareness of the policy and process. How to find and use it x 3

- d. Ensure all personnel/line managers are trained x4
 - e. Not all issues need to result in a grievance
 - f. Think about the Whistleblowing procedure, make it more known x 2
 - g. There's good and bad behaviour from ETI training session
 - h. No one size fits all. Different issues may require different channels x 5
 - i. Include the workers in the design of the GM x 3
 - j. Clearly define the scope and who is accountable
 - k. Emotion around the word "Grievance" x 2
 - l. Adding in the Informal Resolution can help x5
 - m. Don't assume the GM works because you aren't receiving grievances
 - n. It needs continuous review and refresh
 - o. Ensure agency staff & most vulnerable are aware x 3
 - p. Importance of reporting the results and transparency. KPI's x6
 - q. Developing actions plans to address the logged grievances x 2
 - r. Share the business case for GM's with suppliers
3. July proposed to be a good time for next meeting.

Next steps

- i. Find a suitable date next meeting in January 2024- LB -
- ii. Send the commitment cards to the attendees to follow up any action – LB 31.10.23
- iii. All to review their progress on commitments, what changes have been made and any results achieved. Share good and not so good – ALL
- iv. Identify at next meeting, what issues have been encountered and what support is needed – ALL

- End -