Complaints Procedure Flowchart

(to be used in connection with RSPO Complaints System Document

A Complaint Received
- Secretariat receives and acknowledges complaint (10 days)
- Notice to member (giving 10 days for response)
- Determine need for any direct communications e.g. a "holding statement" (e.g. in case of violence or human rights abuse)
- Determine need for immediate stop work order for emergency situation i.e. clearance of primary forest/ HCV areas including orang-utan habitat in new planting areas.

B Complaint Categorised
- Determine need for bilateral or mediation option, notably DSF
- Determine need for (commissioning) additional investigation
- Secretariat determines complaint category (10 days)
- If NOT considered a case for complaints panel, move to monitoring: see box G

C Panel Convened
- Documentation of case by complainant, member and secretariat (incl additional investigation if needed) in order to brief Panel
- Determine panel composition, balanced and free of conflict of interest
- Panel decides on legitimacy of case and on any required "interim measure" (by consensus, within 10 days)

Complaint legitimate

I Re-submission of Complaint
- NO: Secretariat revert to complainant
- Re-submission option by complainant addressing Complaints Panel, comments, etc.
- Resubmission (only 1 attempt, within 4 weeks)
- New submission in case of new evidence

J No Case- Closed
- 2ND CYCLE: Case closed and dismissed with reasons
- Post decision on www.rspo.org

D Complaint Legitimate
- YES: Secretariat notifies member and complainant of imposed measure and puts relevant systems on hold (e.g. certifications, participation in working groups) while investigation and panel deliberation proceed, in order to prevent conflict of interest and/or undue influence
- Post status update on www.rspo.org
- Response request to member (giving 4 weeks)

Yes to act?

K No Response/ No Action from Member
- NO: No to act, or no response
- 2nd notification or extension to respond with another 4 weeks
- Complaints Panel reviews the imposed measures

L Termination
- 2ND CYCLE: Termination procedures by EB

E Reviewing response
- YES: Member response reviewed (with existing/provided info)
- Complaints Panel produces decision (within 4 weeks)
- Request for response from both parties (giving 4 weeks)
- Complainee shall write in to the RSPO secretariat for meeting/ clarification.

Accept?

M Panel Decision Disputed
- NO: Complaints Panel decision rejected/ disputed
- Complaints Panel reviews the imposed measures

N Non Cooperation
- If no agreement to cooperate: Complaints Panel proposed sanction to Board of Governors (BoG) e.g. Suspension, termination
- Complaints Panel inform BoG on intended sanction that will be implemented within 14 days to a) scrutinise procedural improprieties; b) potential mediation for cooperation and case resolution.
- Post status update on www.rspo.org

F Action Plan
- YES: Complaints Panel decides conclusive action plan (outlining the process, e.g. mediation through DSF)
- Agreement requested from both member as well as complainant

Consent to action plan?

O No Consent to Action Plan
- NO: Disputed action plan
- Re-submission of case (within 1 attempt, within 4 weeks)
- Action plan reviewed

G Monitoring Progress of Action Plan
- YES: Implementation of action plan
- Monitoring of progress , incl. final verification, where agreed as part of the action plan
- Post as "Case action agreed, monitoring progress"

P Appeal
- 2ND CYCLE: Appeal goes to BoG
- BoG shall on appeal free of conflict of interest, scrutinise procedural improprieties only; the decision of the CP will prevail if the procedure in reaching the decision is correct.

Final Close?

H Case Resolved - Closed
- YES: Post as "Case closed

Q Not Resolved
- NO: Case not resolved (resubmission) or monitoring shows insufficient progress