

Bonsucro Grievance Mechanism

Outline of the Procedure and Eligibility to Apply

Introduction

The Bonsucro Grievance Mechanism for complaints against Members of Bonsucro is managed by CEDR (Centre for Effective Dispute Resolution) to ensure that such complaints are independently managed and reviewed. CEDR is entirely separate from Bonsucro and a non-profit organisation specialising in independent dispute resolution and conflict prevention. The Grievance Mechanism ensures that those who have been affected by the conduct of Bonsucro Members, have a means of seeking resolution and remediation of their complaint. The Scheme does not cover complaints against Bonsucro accredited certification bodies (or auditors) nor Bonsucro itself, such complaints can be submitted via other processes described on Bonsucro website:

<https://www.bonsucro.com/complaints-and-grievances/>.

Outline of Grievance Mechanism Procedure

The Grievance Mechanism process ensures an early review of whether a complaint against a Bonsucro Member (the “**Complaint**”) is in scope of the Grievance Mechanism Rules (the “**Rules**”). If it is decided to be in scope and that funding is available for the Complaint to progress through the formal Grievance Mechanism, then identified Member (the “Respondent Member”) is asked to respond formally to the Complaint (including any information gathered from a Certification Body if relevant).

After that, the Complaint may go through an independent mediation stage to seek early resolution by agreement between the parties, failing which there will be an independent adjudication of the merits of the Complaint. If upheld, an Adjudicator will issue findings and recommendations for appropriate action to remedy the Complaint to be taken by the Respondent Member and/or by Bonsucro. Appropriate actions can include proposals for changes in conduct, non-financial reparation, or sanctions/termination of Bonsucro membership. The procedure is governed at each stage by time limits for response.

*Before entering the process, CEDR is required to consider whether a Complaint meets the tests under the Rules for being **in scope** as a valid complaint in the required format. The Eligibility Checklist below is designed to help you think through whether your Complaint will be accepted for*

review under the Rules and is likely to meet the standards for a valid application. Please read this carefully before completing the separate **Application Form**. An indicative **Timetable** for the application approval process, and the Grievance Mechanism itself, is set out in a separate document.

Finally, when an application is declared by CEDR to be in scope as it is determined to be eligible and compliant with the Grievance Mechanism requirements, the Complaint will go through the process detailed in the Rules subject to *Bonsucro confirming in advance that funding is available*. Bonsucro has a fixed budget for handling complaints, so there may be times or complicated cases where there has to be investigation of how to resource the likely stages of a complaint. CEDR will let you know the position on funding once we have checked your Application and checked with Bonsucro. The Bonsucro website list alternative options to raise your complaint.

<https://www.bonsucro.com/complaints-and-grievances/>

There will be a request for the Respondent Member to issue a response to the Complaint either directly after receiving the Complaint, or after information is obtained from a Certification Body (where the Complaint has included a challenge to a Member's compliance with Bonsucro Standards required by Bonsucro for responsible operating in the sugarcane industry).

Note that some complaints may be rejected by CEDR as **out of scope** of the Grievance Mechanism if they do not fall within the requirements of the Rules. More of this is set out in the Eligibility Checklist below. Applicants should review the Rules in detail for a full understanding of the Grievance Mechanism and its procedures.

Checklist for Eligibility for the Bonsucro Grievance Mechanism

Please consider the questions below. If you answer 'No' to any of the questions in this section, note that your Complaint may not qualify for the Grievance Mechanism.

1. *Your status for making this complaint*

- Please confirm
 - (a) that you are an interested party and/or a stakeholder affected by a Bonsucro Member's activity who can supply information about the subject matter of the Complaint.

YES NO

OR

- (b) that you have been either directly affected by the issues raised in the Complaint, or are representing an individual or group with such direct connection.

YES NO

2. *First-time Complaint after direct efforts to resolve the Complaint*

- Please confirm that the subject matter of this Complaint is a fresh Complaint and has not been submitted before to the Grievance Mechanism

YES NO

- Please confirm that you have made efforts to resolve your complaint directly with the Respondent Member (or alternatively that there are good reasons that such engagement was not possible)

YES NO

3. **Breach of Relevant Standards**

- Please confirm that the subject matter of the complaint concerns either: -
(a) breach of one or more *Bonsucro Codes of Conduct**[Footnote link to information on *Bonsucro's website*] that apply to Bonsucro Members,
YES NO

AND/OR

- (b) breach of an identified *Bonsucro Standard*** [link to information on *Bonsucro's website*] that applies to Bonsucro Members
YES NO

4. **Format**

- Please confirm that you are able to submit your Complaint in English, and that it will not exceed 25 A4 pages in length for the purposes of initial assessment of eligibility (you can include additional evidence and argument up to 175 A4 pages in English or with English translations as required under the Rules, but this will only be considered once a Complaint is determined to be in scope of the Grievance Mechanism).
YES NO

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5. **Remedies**

Please confirm that

- (a) you will be in a position to suggest specific remedies you will be seeking as part of the Complaint, for a Member to consider at an early stage;
YES NO

and

- (b) that you believe the Grievance Mechanism is the most appropriate route for your complaint having considered other options such as regulators or courts.
YES NO

6. Eligibility/Scope

- Please read the section below on complaints that are excluded from the Grievance Mechanism. Please confirm that your Complaint is not within the exclusions listed:

YES

NO

What is Not Covered Under the Scheme

- Complaints against Bonsucro Members for **impacts which occurred outside their period of Bonsucro Membership**
- Allegations unrelated to the sugarcane business or **not involving sugarcane-related activities**
- **Complaints not made in good faith**
- Complaints **without adequate evidence** or solely **commercially or politically motivated**
- **Re-submission of a complaint** (unless for non-compliance with a previous award)
- **Complaints about the adequacy of Certification Bodies**_(these should be raised via other processes described on Bonsucro website: <https://www.bonsucro.com/complaints-and-grievances/>)
- Breaches of the Code of Conduct relating to **non-payment of Bonsucro membership fees**
- Complaints against Bonsucro itself (such complaints can be submitted via other processes described on Bonsucro website: <https://www.bonsucro.com/complaints-and-grievances/>).