

# HIGH CARBON STOCK APPROACH

HCSA Interim Grievance Resolution Procedure

*Version 1.0*  
*September 2018*

## 1.0 Introduction

The establishment of a High Carbon Stock Approach (HCSA) Grievance Mechanism is currently being developed by the HCSA Executive Committee. The HCSA has established an interim grievance procedure that will be used until this process is completed. This document is a guide on the **HCSA's interim grievance resolution procedure**. It outlines how a party can submit a formal complaint to the HCSA, what the HCSA considers a formal grievance and the process that will be followed by the HCSA Executive Committee (EC) and Secretariat to reach an effective resolution to a complaint, by HCSA stakeholders/affected parties, in a timely, impartial and transparent manner.

## 2.0 Prior Engagement

The HCSA upholds the principle that grievance(s) should be resolved at the earliest and lowest level possible between relevant parties. A formal HCSA grievance should only be adopted if this option does not lead to a resolution recognised by the relevant parties.

## 3.0 A Formal HCSA Grievance

A formal complaint can be submitted to the HCSA EC and Secretariat by email to [info@highcarbonstock.org](mailto:info@highcarbonstock.org). A submitted complaint to the HCSA will need to be determined if it qualifies and will be processed as a formal HCSA grievance. A grievance will be formally considered if the Complainant party(s) submits:

- i. The name of the complainant(s) representatives and corresponding organisation(s) contact details. Complainants can request confidentiality as outlined in 7.0;
- ii. The aggrieved party provides evidence of demonstrated efforts, prior to filing a complaint, to have their concerns addressed which has not led to a resolution. This evidence must be included with the submission of the complaint;
- iii. States the nature of the grievance. Supportive evidence should be provided that demonstrates a breach on the HCSA SG Code of Conduct including a breach of the requirements outlined in the High Carbon Stock Assessment Toolkit detailed in the [HCSA SG Membership Document](#) in regards to the application of the HCSA methodology;

And;

- iv. The breach on the HCSA SG Code of Conduct including a breach of the requirements outlined in the High Carbon Stock Assessment Toolkit is substantiated.<sup>1</sup>

The HCSA Executive Director and Co-Chairs will vet whether a submitted grievance shall be formally considered and processed as a formal grievance and consult with the HCSA EC on a final decision. This will be done within seven (7) to fourteen (14) days of the receipt of the grievance<sup>2</sup>. If a grievance is formally recognised by the EC, the HCSA grievance resolution process shall begin immediately.

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<sup>1</sup> The HCSA Secretariat will need to verify objective evidence to enable a decision by the HCSA Executive Director and Co-Chairs on whether the complaint is be formally lodged as a HCSA grievance.

<sup>2</sup> If substantiated evidence cannot be gathered and assessed within 14 days of receipt of the complaint, then a plan for information gathering, with a clear deadline for when complaint status will be determined, will need to be completed within 14 days. This extension on the status of the complaint submitted to the HCSA secretariat will be communicated to the Complainant party(s).

## 4.0 Grievance Parties

Below are the defined parties and arbiters involved in a HCSA grievance resolution:

- **Complainant:** person(s) or organisation(s) filing a HCSA complaint that can be a HCSA SG member or non-HCSA SG member.
- **Defendant:** HCSA SG member against whom a complaint has been filed.
- **Arbiters:** The HCSA EC, Co-Chairs and HCSA Executive Director are the parties responsible for overseeing and making decisions on formal grievance resolution process(es) and outcome(s).

## 5.0 HCSA Grievance Resolution Process

### *HCSA grievance resolution process steps*

Once a grievance is formally recognised by the HCSA EC, the following HCSA grievance resolution process steps shall be followed:

1. The HCSA Secretariat led by the Executive Director and the Co-Chairs will oversee the grievance process and make recommendations to the EC for any formal decisions on the grievance resolution/outcome.

Any EC members with a potential conflict of interest or lack of impartiality linked to the grievance will recuse themselves from any involvement, i.e., processing and/or decision making, in the HCSA EC regarding the formal complaint.

2. From the date the grievance is formally recognised by the HCSA EC, based on the SG members which are alleged to be in breach of the HCSA SG Code of Conduct will be given up to:
  - i. One month to respond to the raised grievance and;
  - ii. Three months to rectify the breach or put in place a timebound plan that outlines the steps that the member will take to achieve compliance with the Code of Conduct;

The timebound plan will need to be reviewed by the HCSA Executive Director and Co-Chairs to be approved by the Executive Committee within 14 days of receipt.

3. The HCSA SG member must regularly<sup>3</sup> submit 3<sup>rd</sup> party issued progress reports against its time bound plan or submit evidence on how the breach is rectified within three months, that is independently gathered and reported upon,<sup>4</sup> to the HCSA Executive Director and Co-Chairs.
4. The HCSA Executive Director and Co-Chairs will formulate recommendations for the HCSA EC to formally close, document and communicate a final decision regarding the resolution of the Member's breach of HCSA SG Code of Conduct.

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<sup>3</sup> Progress reports will be linked to key outputs of the time bound plan and the time line for progress reports will be identified in the time bound plan.

<sup>4</sup> Note: 3<sup>rd</sup> party will only be considered independent if they do not have any prior involvement in activities related to the grievance.

### Non-resolution Cases

In the case(s) where a SG Member does not submit: i) a time bound plan or ii) if there are serious failures and/or undue/repeated delays to meet the time bound plan which result in continued breaches of the HCSA SG Code of Conduct, the HCSA Executive Director and Co-Chairs will consider recommending the HCSA SG member being excluded<sup>5</sup> from the HCSA Steering Group.

## 6.0 Transparency

The HCSA Executive Director and Co-Chairs will communicate to the grievance parties on behalf of the HCSA EC. The HCSA EC communication to the complainant party on the grievance status and steps towards resolution shall correspond to the formal grievance recognition and resolution process timelines (outlined in above sections) plus an additional buffer period (ranging from three (3) to fourteen (14) working days) to allow for EC grievance sub-committee/EC to produce formal responses on the grievance.

The communication timeline for correspondence with the grievance parties:

Within three days of the receipt of the grievance	The HCSA Executive Director will acknowledge receipt of the grievance by the complainant party.
Within 10 – 17 days of the receipt of the grievance	The HCSA Executive Director will inform the complainant party if the grievance, or by when, has been/will be formally recognised and processed by the HCSA EC.
Within six weeks from the date of the grievance	The HCSA Executive Director will inform the complainant party of the status of grievance.
Within three days of receiving the defendant response to the raised grievance	The HCSA Executive Director will send acknowledgement and outline required next steps as per this grievance resolution process.
Within 14 days of receiving the timebound plan or evidence of resolution of breach within three months	The Executive Director on behalf of the EC will send a response to submission by the defendant.
Within 10 days of receipt of progress reports or submitted evidence of rectifying breach within a three-month period	The HCSA Executive Director and Co-Chairs will submit a response and update the EC accordingly on EC calls or sooner if necessary.
Within 16 weeks from the date of the grievance	The HCSA Executive Director will inform the complainant party on the action plan linked towards the resolution of the grievance. This shall include a timeline for when regular summary progress reports will be submitted to the complainant party.
In cases, where no resolution is achieved due to the HCSA SG Code of Conduct breach not being resolved	The HCSA Executive Director will inform the complainant party when the member has been excluded from the HCSA SG and this will correspondingly be updated on the HCSA external website.

<sup>5</sup> The EC will determine what membership exclusion entails based on the extent of the membership HCSA Code of Conduct breach and subsequent course of actions managed by HCSA SG member to achieve a resolution.

## 7.0 Confidentiality

The complainant party or any other affected parties can request to confidentiality if their identity and/or any critical information may put them in a position where they feel there may be reprisal due to their involvement in the complaint.

## 8.0 Impartiality

Information and decisions related to the grievance should be presented in a neutral way, preventing judgement or favouring any of the parties.

## 9.0 Appeals

The complainant and/or HCSA SG member has the right to appeal to the HCSA EC decision on a grievance. Upon receiving the communication, the resolution outcome, either party will have up to 60 days to file an appeal to the decision. Within 30 days of the appeal receipt, the HCSA EC shall evaluate and make a decision on the appeal.

## Annex 1 – HCSA Code of Conduct

### **CODE OF CONDUCT FOR MEMBERS OF THE HIGH CARBON STOCK APPROACH STEERING GROUP**

The robust development, implementation and adoption of the High Carbon Stock Approach relies on the support, promotion and efforts of all Steering Group members. All members are therefore required to adhere to this Code of Conduct in good faith:

#### **HIGH CARBON STOCK APPROACH IMPLEMENTATION**

Members in plantations and commodity sectors will actively implement the HCS Approach across their own operations, in their supply chains and in investment holdings regardless of stake. In cases where implementation is not currently possible, a full moratorium must be in place for potential high carbon stock forest areas.

Members undertaking HCS Approach assessments must ensure that these are undertaken by HCS Approach Registered Practitioner Organisations, that any HCV assessments are submitted to a quality check using the High Conservation Value Resource Network (HCVRN) Assessor Licensing Scheme (ALS) and that all assessments meet the HCSA Quality Assurance requirements, and that HCS assessments are submitted to the HCS Approach peer review process.

Members who are in commodity user sectors must require suppliers with a risk of contributing to deforestation to apply the HCS Approach, including ensuring these are undertaken by registered HCS Approach assessors, that HCV assessments go through the ALS, and all assessments meet the Quality Assurance requirements and are submitted for peer review *via* the HCS Approach.

#### **PROMOTION OF THE HIGH CARBON STOCK APPROACH**

All members will acknowledge their commitment to ‘No Deforestation’ and the HCS Approach through explicit endorsement. This must include the proactive promotion and education of the methodology both internally within members’ own organisations, in communication and publicity materials (including web), and externally to their value chains and wider stakeholder groups.

Members will not make any misleading or unsubstantiated claims about the use of the methodology, including relating to linking the HCS Approach with project-level carbon trading, including in assessments, reports and communications until the HCS Approach methodology allows it. This does not include government mandated carbon related submissions and registrations.

Members will – normally in advance of publication - share information on external communications on HCS Approach related issues which may affect other members directly. This may include public campaigns or commercial actions which adversely affects the reputation of other members.

Any disagreement or dispute over commitments and external communications will be addressed by the Executive Committee.

### ACTIVE PARTICIPATION AND FUNDING

Members are expected to ensure that appropriate resources are set aside to support the initiative and must make every effort to participate in meetings and respond to written communications in a timely manner. Physical meetings will be held at least twice a year, initially in Southeast Asia.

Members are responsible for ensuring that their commitment to the objectives of HCSA SG is underpinned by adequate resources within its organisation.

Members are expected to contribute to the funding of necessary and agreed administrative or technical work required to evolve and promote the HCS Approach. Budgets for such activities are determined annually by the Executive Committee. Membership fees are according to size and sector annually.

### GRIEVANCE RESOLUTION

Breaches of this Code of Conduct may lead to exclusion from the HCSA SG.

Members will seek to resolve grievances directly with other member organisations in a timely fashion, and will not make unsubstantiated allegations of breaches against other members.

Members which are alleged to be in breach of this Code of Conduct will be given up to one month to respond and up to three months to rectify the breach or put in place a timebound plan that outlines the step that the member will take to achieve compliance with the Code of Conduct. The timebound plan will need to be approved by the Executive Committee.

Prior to taking public action in cases of unresolved or contested allegations of breaches of this Code of Conduct, members must report breaches to the Executive Committee, which will deal with the alleged breaches. Only in the situation where the Executive Committee is unable to resolve the matter under dispute in a reasonable time, will any party be entitled to go public with allegations.

Members can be excluded from the Steering Group only once the Executive Committee has reviewed the alleged breaches and agreed to exclusion in consensus. The member affected by the potential exclusion or dispute does not take part in the decision.

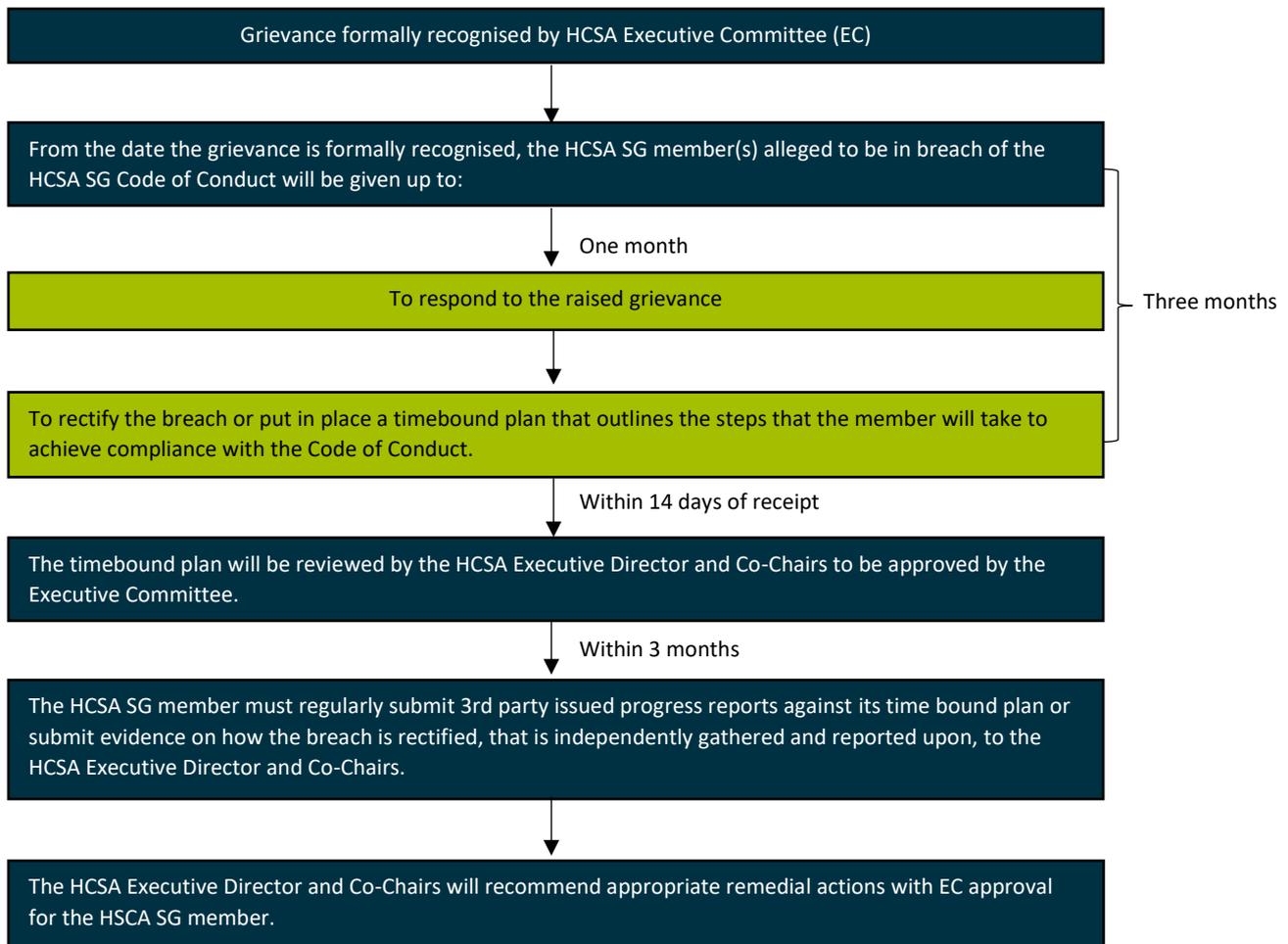
### ANTI-COMPETITIVE BEHAVIOUR

Members will refrain from any behaviour which can be construed as anti-competitive practice.

### VALIDITY OF THE CODE OF CONDUCT

This document is subject to ongoing review and may be changed to suit the evolution of the Group. All changes must be reviewed and approved by the HCS Approach Executive Committee.

## Annex 2 – Process Flow of HCSA Grievance Resolution



### Non-resolution Cases

In the cases where a SG Member does not submit: i) a time bound plan or ii) if there are serious failures and/or undue/repeated delays to meet the time bound plan which result in continued breaches of the HCSA SG Code of Conduct, **the HCSA Executive Director and Co-Chairs will recommend appropriate remedial actions, with EC approval, for the HCSA SG member.** This may include recommending the HCSA SG member being excluded from the HCSA Steering Group.