



Allegation

Standard Operating Procedure

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Certifier for



FAIRTRADE
INTERNATIONAL



Table of Contents

1	Purpose of this document	3
2	Application.....	3
3	Definition.....	3
4	Process	3
5	Response to the Alleging Party.....	4
6	References	5

1 Purpose of this document

The purpose of this document is to explain which information classifies for being accepted as an allegation and what the alleging party can expect from FLOCERT.

It describes the basic elements of how FLOCERT will receive and process allegations submitted against customers holding a Fairtrade certificate.

2 Application

This Standard Operating Procedure applies to all FLOCERT staff.

3 Definition

An allegation is a statement of fact or facts by a third party against a customer holding a Fairtrade certificate claiming that this customer is non-compliant with applicable Fairtrade Standards, or is in breach of FLOCERT policies or other contractual obligations with FLOCERT.

An allegation can be filed by any party, including but not limited to, a Fairtrade customer, an NGO, a labour union, a worker or a member of the public.

FLOCERT understands the allegations process a valuable tool to strengthen the robustness of its certification process and therefore welcomes this additional information from third parties. It treats accepted allegations with priority.

If Workers share concerns during an audit directly with the FLOCERT auditor the information will be processed within the normal audit routine, and would not be handled in accordance with the present procedure.

4 Process

As a certification body it is FLOCERT's duty to control the compliance of its customers and allegations can be an indicator for non-compliance with the Fairtrade Standards. All allegations are processed consistently following the FLOCERT allegation workflow as explained below. All submitted allegations will be treated strictly confidential by the responsible staff in order to ensure that identities of involved parties are protected.

An allegation cannot be accepted by FLOCERT in matters where the concerned incident is also pending to be resolved before a court or being investigated by local or national institutional authorities. Only if the matter touches a Fairtrade Standard requirement (e.g. Standard requirements concerning labour conditions or child labour) that imposes stricter requirements than national legislation, FLOCERT may accept the allegation submission.

Workers or their representatives should try to solve the conflict first within their own organization. In accordance with the Fairtrade Standards, every customer certified against the Hired Labour Standard should have in place an internal grievance procedure which ensures that workers have the right to be heard and the right to appeal. Moreover, management is not allowed to discipline, dismiss or discriminate against workers for using any grievance procedure. In cases when the internal procedure does not function properly, FLOCERT will accept the allegation and investigate it accordingly.

Allegations must be submitted in writing via the FLOCERT homepage or to Allegations@flocert.net ideally using the Allegation Submission Form (CA AllegationSubmission FO) which is available on request to the same email address and will be documented and managed centrally within the Credibility Assurance team of FLOCERT. FLOCERT reserves the right to evaluate each case individually and decide differently if the need may arise.

- After first contact with FLOCERT, the completed form and the necessary supportive documents requested must be submitted within 4 weeks.
- The party submitting the allegation must indicate the name of the concerned customer, the FLO ID if known, and all available facts and documents in support of the allegation that the accused customer



is non-compliant with the Fairtrade Standards, or is in breach of FLOCERT policies or other contractual obligations with FLOCERT.

- CA evaluates the validity of the allegation to determine whether to initiate an investigation. Reasons for not initiating an investigation may be :
 1. *The incident dates back more than 12 months.*
 2. *No sufficient evidence could be presented by the party filing the allegation.*
 3. *The allegation was against an organisation not Fairtrade certified.*
 4. *The allegation concerns the private contractual relationship between two customers, without a link to Fairtrade Standards.*
 5. *The allegation was not linked to a potential violation of the Fairtrade Standards, FLOCERT policies or other contractual obligations with FLOCERT.*
- Within 10 working days CA will inform the party which has submitted the allegation if the allegation is considered valid. If the allegation will not be followed up CA will also communicate what is the reason for this decision.
- If the allegation is considered valid, the certification unit responsible will start to investigate the case.

Based on the kind and severity of the allegation, appropriate investigation measures are determined:

1. *Analysis of the written evidence provided by the alleging party*
2. *Request for an evaluation of the allegation by a third party (e.g. technical expert opinion, legal statement)*
3. *Request for a statement of the concerned customer*
4. *Analysis of existing audit reports.*
5. *Analysis of the allegation as part of an audit (announced or unannounced) at the concerned customer*

FLOCERT evaluates all facts gathered during the investigation against the relevant Fairtrade Standards, FLOCERT policies and if applicable, other contractual obligations.

If the concerned customer was found to be in compliance with the Fairtrade Standards, the allegation will be summarily dismissed.

If the concerned customer was found to be in non-compliance with the Fairtrade Standards, FLOCERT will issue a non-conformity and the regular certification process will be followed through including the request for corrective measure or, if applicable the appropriate sanctions (e.g. suspension, decertification).

If the concerned customer was found to be in breach of its certification contract with FLOCERT, FLOCERT may proceed to cancel its contract with the customer after providing adequate notice.

5 Response to the Alleging Party

Usually an allegation will be closed within 9 months from the date of acceptance.

If an allegation is classified as “High Risk” immediate action will be taken and the duration of the complete process is reduced to 3 months as a maximum.

To ensure confidentiality and reliability in results, information as to the method and date of investigation will not be shared in detail during ongoing investigations.

FLOCERT, based on the requirements of the certification contracts and the requirements of its accreditation against ISO 17065 will also not be able to disclose customer sensitive data collected during the investigations to the alleging party.

Following the decision the Credibility Assurance Unit will communicate in writing the results of the investigation and subsequent decision to the party which has submitted the allegation.

At this point, the allegation will be considered as “closed”.



6 References

- CA AllegationSubmission WI
- CA AllegationSubmission FO