

UTZ Grievance Procedure

Version July 2017

Principles

- I. **Scope:** The procedure is open to anyone who has a grievance against a member (producer or supply chain actor) a certification body (CB), or against UTZ. The grievance must be about compliance with UTZ's policies and procedures.¹ The grievance cannot be about contractual obligations between members and / or certification bodies (CB) that go beyond UTZ's policies and procedures. Also, no claims for financial compensation are accepted.
- II. **Scalability of resolution:** Grievances should be addressed preferably in an informal way, and at the lowest level possible. Only if resolution fails at the lowest level, the next highest level must be engaged. For example, a stakeholder who has concerns about a CB should first contact the CB directly to try and solve the matter in an informal way. If this does not work, the CB's complaint or grievance mechanism procedure should be followed. If still the concerns are not resolved, the stakeholder can file a grievance through the UTZ Grievance Procedure.
- III. **Fairness:** Any grievance will be treated with procedural fairness:
 - a. a person or organization, which is the subject of a grievance, is given adequate notice about the proceedings;
 - b. a person making a decision should declare any personal interest he or she may have in the proceedings, should be unbiased and acting in good faith;
 - c. each party to a proceeding is entitled to ask questions and contradict the evidence of the other party; and
 - d. a decision-maker takes into account relevant considerations and mitigating circumstances, and ignores irrelevant considerations.
- IV. **Transparency:** UTZ will keep record of the written communication and of the conversations, including date, time and a summary of issues discussed. Parties involved are requested to refrain from commenting publicly on the complaint until a decision is made and all parties have been informed accordingly. UTZ commits to review and take any necessary corrective action to its policies and procedures, such as the standards system or the assurance requirements.
- V. **Acceptance:** By submitting a grievance, the submitter accepts the provisions of this grievance procedure.

Process

1. A grievance is submitted through the online grievance form, and includes at least the following information:
 - a. name and contact details;
 - b. description of the grievance (possibly with supporting evidence);
 - c. expected outcomes; and
 - d. description and / or evidence of the steps already taken to resolve the grievance at an informal or lower level.
2. UTZ will inform the submitter within 10 days after receipt of the grievance if the grievance is found eligible. The grievance is eligible if it is within the defined scope, if a solution at an informal or lower level has been sought, and if the online grievance form has been submitted correctly. If the grievance is found ineligible, UTZ will provide a recommendation on how to correctly address the grievance.

¹ The UTZ Code of Conduct, UTZ guidance documents, the UTZ Chain of Custody and its annexes, the UTZ Protocol, the UTZ Terms & Conditions and the UTZ Labeling and Trademark Policy. Please visit <https://utz.org/resource-library/> to download the aforementioned documents.

UTZ Grievance Procedure

Version July 2017

3. If the grievance is found eligible, UTZ will appoint a grievance manager to handle the grievance in accordance with this procedure. The grievance manager has appropriate contextual knowledge to handle the case, and is, as much as possible, impartial and free of any conflict of interest in relation to the grievance and the parties involved. If the complexity of the case so requires, UTZ may appoint a committee of three grievance managers to handle the grievance.
4. Within 10 days after informing the submitter that the grievance is found eligible, UTZ will:
 - a. inform the submitter of the name and contact details of the grievance manager;
 - b. inform the defendant of the name of the grievance manager, supply the defendant with a copy of the grievance², and allow the defendant 10 days to send in a written reaction and supporting evidence. Upon request of the defendant, and in case it is deemed reasonable, UTZ may decide to extend the 10 day period for submitting a reaction and supporting evidence. UTZ will send copy of the written reaction and supporting evidence to the submitter.
5. Within 30 days after informing the submitter that the grievance is found eligible, the grievance manager will contact the parties by e-mail or phone to attempt to informally resolve the issue, unless such an attempt is reasonably to be considered an unnecessary exercise.
6. If the grievance cannot be resolved in an informal way, the grievance manager will, within 60 days after informing the submitter that the grievance is found eligible, inform the parties by email of the decision taken, including the reasons for the decision and, if applicable, any follow up measures to be taken. UTZ reserves the right to extend the period for taking a decision, if the complexity of the case, or other specific reasons so require. UTZ will inform parties in writing thereof.
7. Either party may appeal the decision by submitting an appeal within 30 days after the notification of the decision. The appeal is submitted by email and includes:
 - a. name and contact details;
 - b. specification of the decision;
 - c. grounds of the appeal;
 - d. supporting evidence (if relevant).
8. UTZ will inform the appellant within 10 days after receipt of the appeal if the appeal is found eligible. The appeal is eligible if it is within the defined scope, and if the appeal has been submitted correctly. If the appeal is found ineligible, UTZ will provide a recommendation on how to correctly address the appeal.
9. If the appeal is found eligible, it will be brought to the attention of the UTZ Executive Team (ET). The ET will appoint an appeal panel to handle the appeal in accordance with this procedure. The appeal panel consists of three persons who have appropriate contextual knowledge to handle the case, and who are, as much as possible, impartial and free of any conflict of interest in relation to the appeal and the parties involved. The grievance manager who handled the case in first instance cannot take part in the appeal panel. ET may decide to appoint one person instead of three. Also, ET may decide to appoint one or more external parties to take part in the appeal panel.
10. Within 30 days after informing the appellant that the appeal is found eligible, UTZ will:
 - a. inform the appellant of the names of the appeal panel;
 - b. inform the defendant of the names of the appeal panel, supply the defendant with a copy of the appeal, and allow the defendant 10 days to send in a written reaction and supporting evidence. Upon request of the defendant, and in case it is deemed reasonable, UTZ may decide to extend the 10 day period for submitting a reaction and supporting evidence.

² Grievance submitters shall always disclose their identity to UTZ. In exceptional circumstances, UTZ will consider requests by grievance submitters who wish to remain anonymous to the parties to the grievance and shall protect their privacy and identity to the maximum extent possible, while recognizing that the identity of the submitter of the grievance might be obvious depending on the circumstances.

UTZ Grievance Procedure

Version July 2017

11. Within 30 days after notification of the appeal panel, the appeal panel will contact the parties by email or phone to attempt to informally resolve the issue, unless such an attempt is reasonably to be considered a unnecessary exercise.
12. If the appeal cannot be resolved in an informal way, the appeal panel will, within 60 days after notification of the appeal panel, inform the parties by email of the decision taken, including the reasons for the decision and, if applicable, any follow up measures to be taken. The appeal panel decides on the appeal by consensus, that is, in absence of sustained opposition. If no consensus is possible, the appeal panel will decide by majority vote. UTZ reserves the right to extend the period for taking a decision, if the complexity of the case, or other specific reasons so require. UTZ will inform parties in writing thereof.
13. The decision of the appeal panel shall be binding to all parties and no further grievance or appeal on the same matter will be accepted.
14. After a grievance is resolved, learnings are documented and shared with relevant parties within UTZ to facilitate continuous improvement of the assurance system, and to prevent re-occurrence of the grievance.