

Organising, implementing and evaluating complaints procedures

Guidance on the complaints
procedure under the German
Supply Chain Due Diligence Act



Federal Office
for Economic Affairs
and Export Control

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Introduction

This guidance explains the requirements of the German Supply Chain Due Diligence Act (Lieferkettensorgfaltspflichtengesetz, LkSG) for organising, implementing and evaluating a complaints procedure in order to provide enterprises with assistance in implementing the Act. The guidance describes the requirements of the Act, shows the role of the complaints procedure in the due diligence process, and offers assistance and practical tips for implementation.

Complaints procedures as part of due diligence obligations

Appropriate complaints procedures are a key element of the due diligence obligations established by the Supply Chain Due Diligence Act. In accordance with sections 8 and 9 of the Act,¹ every enterprise must ensure that an appropriate complaints procedure is in place, enabling internal and external persons to report to the enterprise human rights and environment-related risks or violations within its own business area and in the supply chain. To this end, enterprises can use an internal procedure, participate in an equivalent external procedure, or combine internal and external complaints procedures.

The due diligence processes described in the Act are closely interlinked and should mutually reinforce each other's effects. By means of the risk analysis, enterprises obtain information about their human rights-related and environment-related risks and the persons who may be affected by possible violations of obligations within its own business area or in the supply chain (= parties potentially affected). With regard to the complaints procedure, these persons are the main target group the procedure is intended to enable to submit information and complaints in relation to possible violations of obligations (see 3.2). When setting up one's own or participating in external complaints procedures, enterprises should therefore build on the results of their risk analysis.²

At the same time, insights gained through processing complaints and implementing preventive and remedial measures are to be taken into account in the risk analysis itself. Through processing information and complaints, enterprises can obtain information on the type and severity of certain risks, the likelihood that a risk will occur, the effectiveness of existing preventive and remedial measures or their own contribution to causing risks and their own possibilities for influencing them.

Overall, complaints procedures provide enterprises with the opportunity to obtain feedback on the effectiveness of their risk management and specific due diligence processes. Complaints procedures are thus an important building block for further developing risk management and due diligence processes.

Within the framework of enterprises' documentation and annual reporting obligation under section 10, enterprises are required to continuously document complaints received and the implementation and effectiveness of preventive and remedial measures and to report publicly on them.

¹All the sections referred to below are from the Supply Chain Due Diligence Act.

²A complaints procedure must be in place as of the Act's entry into force in 2023 (2024). Enterprises conducting their first risk analysis only from 2023 (2024), should, building on the results, review the effectiveness of their complaints procedure on an ad hoc basis and adapt it as necessary to improve target groups' accessibility to the procedure.

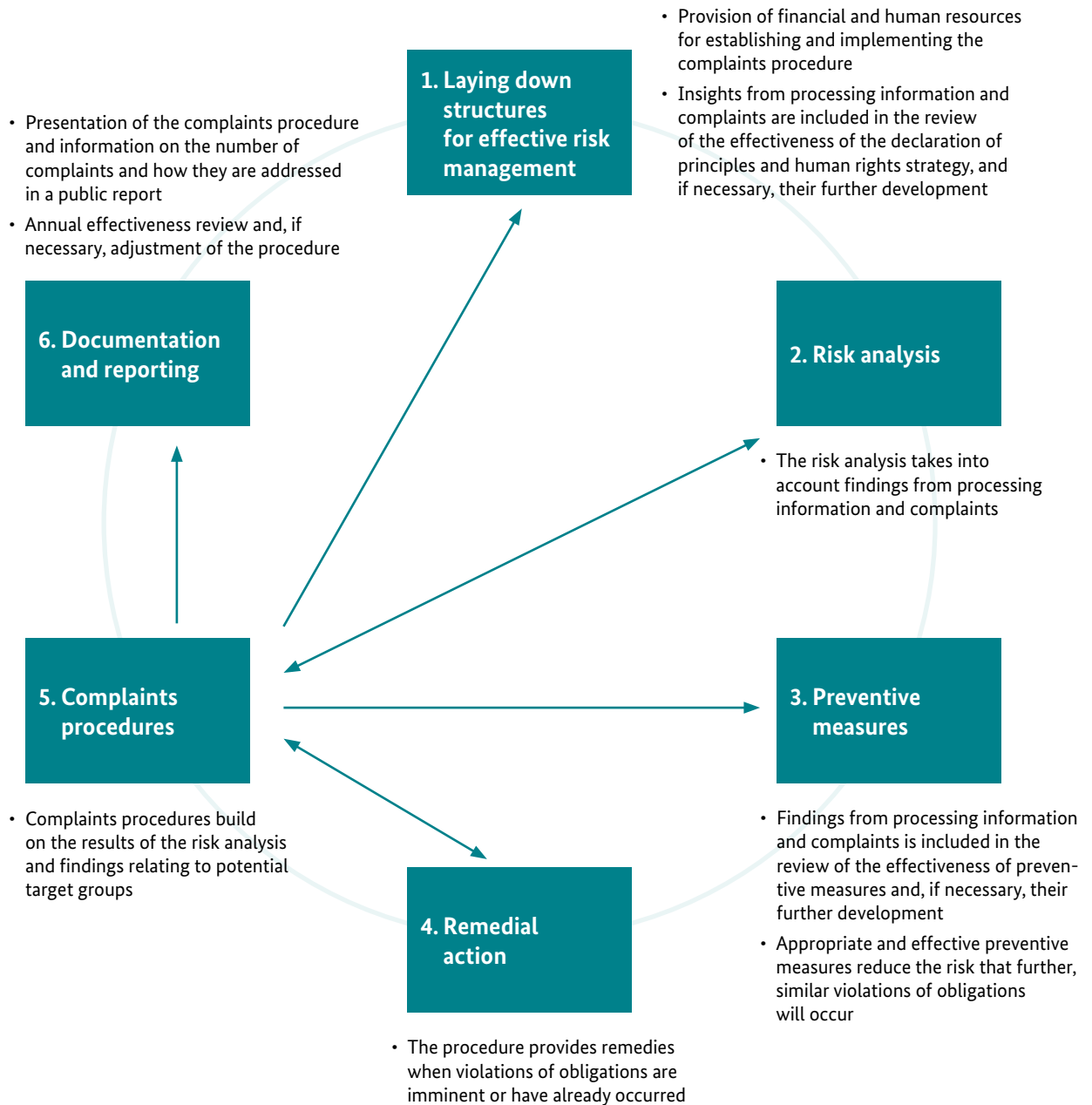


Figure 1: Interaction of the complaints procedure and other due diligence obligations

Requirements of the complaints procedure

3.1 What is the aim of the complaints procedure?

In practice, complaints procedures should fulfil two important functions, both in relation to dealing with human rights and environment-related risks and in dealing with violations within an enterprise's own business area and in its supply chain:

- Firstly, complaints procedures serve **as an early warning system** by means of which problems are recognised and, at best, resolved before people or the environment are actually harmed. Enterprises should therefore design their complaints procedure in such a way as to receive information about human rights or environment-related risks or inadequate preventive and remedial measures as early as possible. This enables enterprises to prevent further violations of human rights or environmental legislation and to avoid associated costs and damage to their reputation.

An example of an early warning system:

An enterprise sets up a Worker's Voice hotline in its supply chain to promote employees' safety and welfare in the supply chain. There is low-threshold access to the hotline. The suppliers' employees are encouraged to submit evidence of any problems or concerns at an early stage. As a result of the information received, problems relating to a supplier's lack of protective equipment were identified at an early stage. The enterprise responded immediately by taking remedial action and further preventive measures, thereby preventing further damage to the people affected, for example in the form of accidents at work.

- If necessary, effective complaints procedures offer **access to appropriate remedies**. If information or complaints are received concerning imminent or actual violations of obligations and these are confirmed, the enterprise must take appropriate remedial action to prevent, end or minimise these grievances under section 7 of the Act. In addition, enterprises must take preventive measures under section 6 to prevent further legal violations of the same kind or to reduce the risk of them. Although the Supply Chain Due Diligence Act does not include any obligation to pay reparation, an enterprise's efforts to this effect when it is established that a regulatory offence has been

committed will be taken into account with positive effect when calculating administrative fines.³

3.2 For whom and where must a complaints procedure be provided?

Enterprises must have a complaints procedures through which both internal and external persons can address the enterprise.

Within the meaning of a risk-based approach, the **most important target groups**⁴ of the complaints procedure are persons in the enterprise's own business area and in the enterprise's supply chain who are potentially affected by human rights or environment-related violations. These are identified using the enterprise's risk analysis (for further assistance, see section 4.1).⁵

Parties potentially affected may be, for example, an enterprise's own employees, employees of direct or indirect suppliers or residents living around local sites. In order to ensure that these target groups are familiar with and can use the enterprise's complaints procedure, possible barriers that reduce accessibility to the procedure from the point of view of parties affected should be identified beforehand and considered when designing the procedure (on this subject, see also section 3.5).

The role of persons not directly affected

Persons not directly affected by risks or violations must also have the possibility of submitting information on risks and possible violations of obligations. This may also be done on behalf of persons directly affected.

Some possible examples:

- A trade union submits a complaint on behalf of its members in relation to a direct supplier's breach of the right to form associations.
- A media representative draws attention to environment-related risks around a location abroad that were discovered while conducting research.
- A civil society organisation submits a complaint in relation to the violation of the prohibition of forced labour by an indirect supplier.

Enterprises must create means of access and solutions for the complaints procedure's target groups as appropriate in relation to the type and extent of their own business activities and the associated risks. With regard to the results of the risk analysis, that means that the more human rights and environment-related risks an enterprise has identified and prioritised in its own business area and in the supply chain, the more effort it must expend in relation to its complaints procedures and to ensuring the procedure's accessibility to the target groups. The specific implementation of this lies within the scope of action and margin of discretion of each individual enterprise (for further information, see section 4).

There is no obligation for all target groups to have access to the same complaints procedure. Enterprises are free to establish a number of procedures (of which one is only accessible to internal persons, for example), or to participate in different procedures or to use a combination of both.

³ Section 24 (4) no. 7.

⁴ Section 8 (4) proscribes that the complaints procedure must be accessible to potential parties involved. This term includes both persons who are (potentially) directly affected by violations of obligation and also other persons who are not directly affected. For the purpose of simplification, the first group (parties potentially affected) are referred to in this guidance as "target groups". Persons who use the procedure are referred to as "reporting persons" by analogy to the text of the Act.

⁵ Cf. the explanatory memorandum on section 8 of the Act (Bundestag printed paper 19/28649, p. 49 f.).

3.3 What requirements are there regarding the design of the complaints procedure?

In putting in place a complaints procedure and in its day-to-day operation, enterprises must observe a number of detailed statutory requirements. These apply both to internal complaints procedures and to external procedures in which the enterprise participates in addition to or instead of an internal procedure.

Establishing publicly available rules of procedure

Enterprises must establish rules of procedure for the complaints procedure in text form and make them **publicly available**. The rules of procedure should contain the following information:

- **Scope of the procedure or type of complaints or information for which the procedure can be used** (the procedure should be usable for all human rights and environment-related risks or violations of obligations covered by section 2 (2) and (3).
- **The complaint channels through which information or complaints can be entered into the procedure** (for example, telephone numbers and information on the times they can be reached and possible costs, link to an online form, local contact persons)
- **The stages of the complaints procedure.** This covers the anticipated time frame of each procedural step and the stage or times at which the reporting person is informed about the progress of the procedure
- The existence **of an amicable dispute settlement option** (if provided for and desired as a possibility by the enterprise)

- **Who the contact persons for reporting persons** are and which department(s) are competent for the complaints procedure
- **How the enterprise or the organisation** setting up the complaints procedure **guarantees effective protection against disadvantage or punishment** as a result of a complaint.

If an external procedure is used, the responsibilities and contact persons within the external organisations should also be specified and it should be established internally who is responsible for contact with external procedures and following up information within one's own enterprise.

In **communicating and designing the rules of procedure**, the enterprise should address the needs of the procedure's target groups. The information should be clear and comprehensible and also available in the languages important for relevant target groups of the enterprise. The rules of procedure should be published in a place that is easy to find (for example, on the website of the enterprise, the supplier of the external complaints procedure or on a website specially set up for the purpose) and be readily accessible. Enterprises are recommended to communicate proactively about the complaints procedure through posters, visiting cards or other measures (on this subject, see also 3.5).

Aptitude and qualification of internal contact persons

The following is to be noted regarding the aptitude and qualification of contact persons who process the information and the times they are available:

The persons must be able to act impartially. To perform their task, they must therefore be independent, not bound by instructions, and bound to secrecy. The requirement of impartiality is an important element of an effective complaints procedure, since in principle, there may be a risk of a conflict of interest when people paid by the enterprise examine and process accusations against that enterprise. Enterprises must therefore create the structural conditions for impartiality (for example, through protection against dismissal agreed by contract and by laying down independence from instructions in the employment or service contract).

- The persons should be appropriately trained⁶ and have sufficient time resources to understand and evaluate the situation and the procedure from the point of view of reporting persons and to process it in the ongoing procedure.

Process of the complaints procedure and dealing with reporting persons

In addition, various requirements must be taken into account with regard to the process of the complaints procedure and the involvement and protection of reporting persons:

- **Acknowledgement of receipt and continuous contact with the reporting person:**
From the time of receipt of the information or complaint, the contact person in the enterprise should document receipt of any information and acknowledge it to the reporting person. The reporting person should also be informed of the next steps, the procedure schedule and their rights in relation to protection against disadvantage or punishment as a result of the procedure or use of other formal complaints procedures.

- **Examination of the complaint:**
At the beginning of the procedure, it should be examined whether the complaint or the subject of the information received falls within the scope of the complaints procedure. If it is rejected, a short statement of reasons should be sent to the reporting person.
- **Clarification of the facts:**
The contact person must discuss the facts with the reporting person with the aim of gaining a better understanding of them. This can also create trust in the process. It should also be discussed what expectations reporting persons have in relation to possible preventive or remedial measures. On this basis, a possible solution for the complaint can later be drawn up. The enterprise has the option of offering the reporting person an amicable dispute settlement procedure.
- **Confidentiality of identity:**
Precautions must be taken in complaints procedures to guarantee the confidentiality of reporting persons' identity and protection of their personal data. It is recommended that anonymous use of the procedure is made possible.
- **Protection against disadvantage or punishment as a result of a complaint:**
Enterprises must establish measures to protect reporting persons from disadvantage or punishment as a result of their use of a complaints procedure and must communicate those measures. Enterprises can, for example, undertake not to tolerate retaliatory measures on account of complaints or information and indicate the specific consequences employees or suppliers can expect to face if reporting persons are subjected to retaliatory measures. It is recommended to remain in contact with the reporting person even after completion of the procedure to ensure that they are not subsequently endangered by retaliatory measures.

⁶ For example, on account of specialised training or previous professional experience in the field of mediation and conflict resolution, human resources or on sustainability issues along supply chains, or advanced training on the subject, or demonstrable experience of examining and processing individual cases.

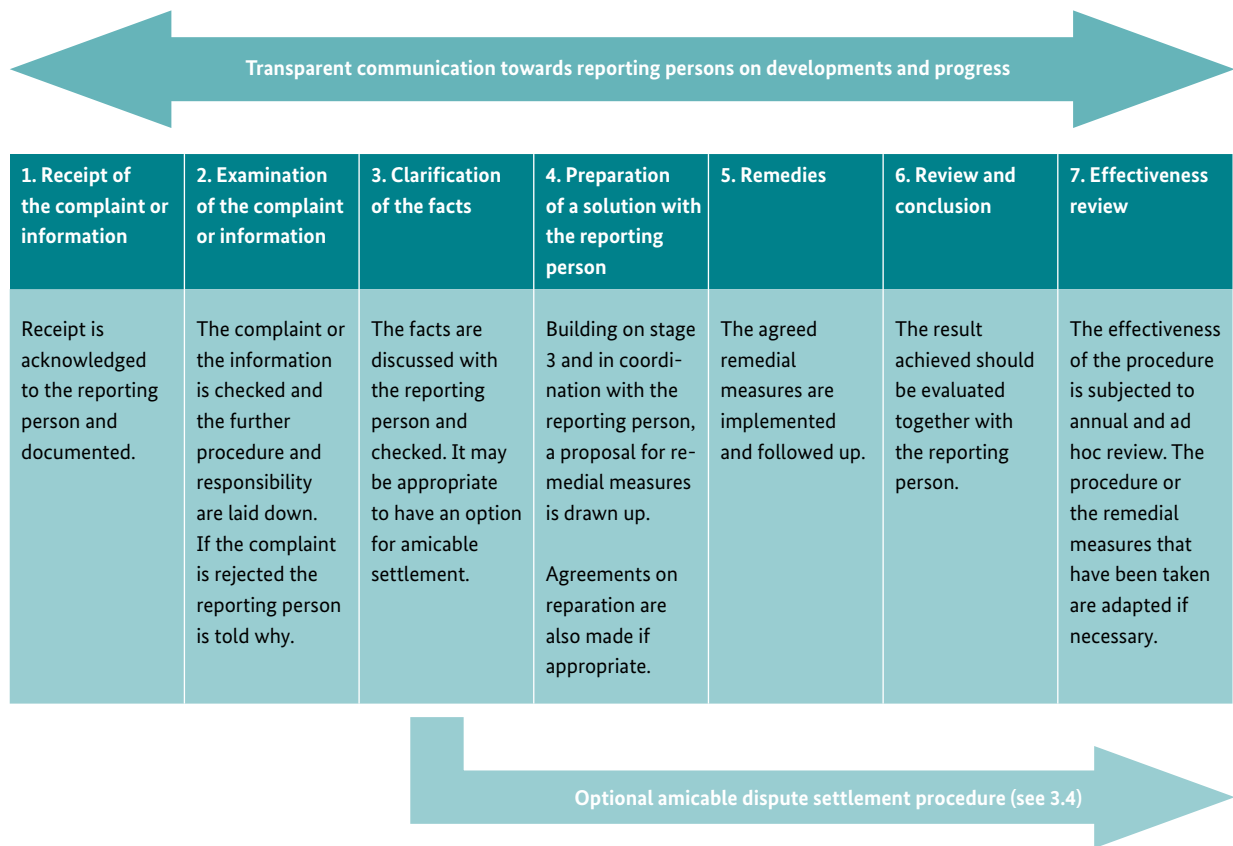


Figure 2: Exemplary sequence of a complaints procedure⁷

3.4 Optional amicable dispute settlement procedure

Enterprises have the option of offering reporting persons an amicable dispute settlement procedure. In such a procedure, the parties involved attempt to find an amicable solution with assistance from a neutral third-party mediator instead of having a decision taken in the official complaints procedure. The focus here is on solution-oriented cooperation and the development of remedial or preventive measures supported by all parties. Ideally, this increases mutual trust and contributes to more effective solutions. Also, this enables the cost of further complex examinations or negotiations in the context of a formal procedure to be avoided.

In planning an amicable settlement procedure, attention should be paid to ensuring that possible structural power imbalances between reporting persons and the enterprise are addressed within the procedure. One way in which this can be done is by consulting an independent organisation to support reporting persons.⁸

⁷Adapted from UN Global Compact Netzwerk Deutschland (2018), Worth listening. Understanding and implementing human rights grievance management.

⁸For the whole of this section, cf. Ulla Gläßer, Robert Pfeiffer, Dominik Schmitz, Helene Bond, research report commissioned by the Federal Ministry of Justice (BMJ) (2021), Non-judicial Grievance Mechanisms in Global Supply Chains, in particular pp. 15-16, 273 ff. and 425-226.

Example of “an amicable dispute settlement procedure”: A group of trade union members who work for an electronics group supplier submit a complaint through the complaint channel of a sector association because they were recently dismissed without notice and no reasons were given. Several corporate groups that cooperate with the supplier concerned are organised through the sector association. The sector association examines the complaint, brings the purchasers together and seeks dialogue with the supplier. In consultation with reporting persons, an amicable dispute settlement procedure is then initiated. With the support of a local mediator, a solution to the conflict is drawn up together with those affected, the local trade union, the supplier and the sector association.

3.5 What requirements are there regarding the accessibility of the complaints procedure?

A complaints procedure must be accessible for an enterprise’s most important target groups. Accessibility to the complaints procedure is the benchmark of its effectiveness. If those who are supposed to use a complaints procedure are not aware of its existence or are unable to use it due to its cost or other reasons, the procedure does not fulfil its purpose. In order to be able to take the needs of target groups into account, they should be consulted already when designing the procedure. This may take the form of stakeholder involvement (for example through trade unions, employee representative bodies, civil society organisations).

Defining accessibility: A complaints procedure is accessible if it is known to all target groups for whom it is intended and provides adequate assistance for those who face special barriers to access.

UN Guiding Principles on Business and Human Rights, Principle 31

There may be different barriers to access for different groups of people, preventing them from using a procedure.

These barriers to access are often particularly high for vulnerable groups, such as children or people who are illiterate. To overcome these barriers to access, it may be necessary to create different channels for submitting complaints (for example by telephone, using an online form, local contact persons). In addition, targeted additional measures may be taken to make complaints procedures better known and more accessible to particular groups of people or at particular locations.

Examples of vulnerable groups:

- Women
- Children and young people
- Migrant workers, seasonal workers
- Indigenous groups
- Religious, ethnic and other minorities
- People with physical or mental disabilities
- People with different sexual orientations
- Unskilled people/people with no or limited literacy

These measures also serve to build trust. Ultimately, breaking down barriers to access also builds target groups’ trust in the procedure’s credibility.

I: Exemplary measures to design accessibility in the complaints procedure ⁹	
Examples of barriers to access	Possible measures
The procedure is unfamiliar	<p>Provide an easily-accessible online form that is easy to find on the corporate website. Distribute low-threshold information booklets (for example, in the form of comics)</p> <p>Provide regular information and training for target groups on the procedure</p>
There are language barriers	<p>Translate the information into languages typically used by the target groups</p>
There are barriers due to illiteracy	<p>Present the information in the form of illustrated/graphic posters at locations particularly often frequented by the target groups</p>
There is no trust in the procedure	<p>Name direct contact persons rather than anonymous systems</p> <p>Ensure transparent communication on how the complaints procedure is conducted and the stage reached</p> <p>Ensure the anonymity of the reporting person, also when the complaints procedure has been concluded</p>
The procedure involves costs	<p>Create a procedure that is free of charge, for example in the form of a free hotline or online access</p>
There is no access to the complaints procedure (for example, because it is only accessible at certain locations)	<p>Establish complaints letterboxes at protected locations, which are regularly emptied</p> <p>Provide information on the complaints procedure and contact persons on the visiting cards of staff who regularly visit supplier operations (for example, quality personnel, auditors)</p>

⁹Adapted from UN GCD (2018), Worth listening. Understanding and implementing human rights grievance management.

Implementation of complaints procedures

4.1 How can the establishment of appropriate complaints procedures be prepared?

Many enterprises already have complaints procedures such as whistleblowing or compliance hotlines. When putting a procedure under the Supply Chain Due Diligence Act in place in this context, it may be advisable to check first whether it is possible to build on existing mechanisms and adapt them as necessary.

Examples of complaints channels:

- Corporate grievance hotline or reporting system
- Trust centre/ombudsperson
- Trade union/Workers Council
- Hotline/technical supply chain solutions
- Procedures offered by multi-stakeholder initiatives, associations or standards/certification organisations
- Global framework agreements
- OECD National Contact Points (NCPs)

Thus, enterprises should be aware of the following:

- **Whether complaints procedures already exist for the procedure target groups and in relation to human rights and environment-related risks and violations**

- **Which target groups or issues have not been covered to date** (for example, enterprises often have a complaints procedure for their own employees, but not for any other target groups)
- **Whether the existing complaints procedures are accessible to the target groups** and where improvements are needed
- **To what extent existing procedures can be built on** (for example, by increasing the effectiveness of an existing procedure or by opening a procedure for new target groups) or
- To what extent (possibly in cooperation with other actors) **additional complaints procedures** are necessary.

In principle, the following applies: An effective complaints procedure is known to the envisaged target group, is seen as trustworthy and promotes and facilitates the submission of information and complaints even before a violation of an obligation has taken place (see further guidance under 4.3).

Possible results of this check may be the following:

- not all important target groups have access to a complaints procedure (for example, an enterprise's own employees at certain locations, employees of direct suppliers, employees in high-risk commodities supply chains)
- existing complaints procedures are not open to all relevant complaints matters (for example, violation of an environment-related obligation does not fall within the scope of existing complaints procedures)
- existing complaints procedures are not effective or are only effective to a limited extent (for example, limited accessibility for certain target groups).

Example: Enterprise V has checked which existing procedures could be used to address complaints to the enterprise by target groups identified as being relevant. The enterprise has established that accessibility for various target groups is extremely limited and that no procedures at all are available to some groups. The enterprise is following this up by implementing various measures to improve the situation. Among other things, the accessibility of the internal complaints office for the enterprise's own employees and of the compliance hotline, targeted both at internal and external persons, are to be enhanced. In the enterprise's own supply chain, it is also cooperating with various multi-stakeholder initiatives and standards organisations to successively improve accessibility within its high-risk commodity supply chains.

On the basis of the gaps identified and the need for improvement, an enterprise can lay down individual next steps. In order for enterprises to use their own resources in a way that is as targeted and effective as possible, they should check where they can build on existing procedures and where these can be adapted as required, and where it makes sense to pool resources in procedures within or across sectors. As well as improving their own systems, enterprises should cooperate in a targeted manner with other enterprises and sector-specific or cross-sectoral initiatives in order to improve access to complaints procedures at certain stages of a supply chain or to improve high-risk commodities supply chains.

Examples of (multistakeholder) initiatives where associated enterprises can participate in a complaints procedure:

Sector initiatives

- Toys: [Ethical Toy Program](#)
[Worker Helpline](#)
- Textiles/clothing: [Fair Wear Foundation](#)
[Complaints Mechanism](#), [RMG Sustainability Council](#)
[Occupational Safety and Health](#)
[Complaints Mechanism](#)
- Automotive: [Pilot project sector dialogue: automotive industry](#)
- Jewellery: [Responsible Jewellery Council](#)
[Complaints Mechanism](#)

Cross-sectoral initiatives

- Trade: [Ethical Trading Initiative Alleged Code Violation Procedure](#)
- Employees' rights: [Fair Labor Association](#)
[Third Party Complaints Process](#)
- Trade: [Amfori Speak for Change Programme](#)
- Palm oil: [Roundtable on Sustainable Palm Oil](#)
[Complaints and Appeals Procedures](#)
- Minerals: [Responsible Minerals Initiative](#)
[Grievance Mechanism](#)

4.2 How should complaints be addressed?

Enterprises determine the process and thus also the internal structures for processing and dealing with complaints and information on their rules of procedure. Examples of rules of procedure in existing complaints procedures by sector and multi-stakeholder initiatives are listed in Appendix I.

Subject to the requirements outlined in section 3.3, enterprises can use these as a first inspiration for drawing up their rules of procedure.

In addition, when handling information and complaints and building on them to (further) develop preventive and remedial measures it is recommended to build on existing good practices (see box) and, if possible, to cooperate with other enterprises and stakeholders.

The findings from complaints procedures must also be used to adapt or improve existing preventive and remedial measures as required. If, for example, an enterprise's own purchasing policies affect suppliers – for example, causing excessive overtime or non-payment of wages – changes should be made in the purchasing or procurement process to avoid further violations of obligations.

Guidelines for appropriately dealing with complaints:

- UN GCD, Helpdesk for Business and Human Rights and Verisk Maplecroft: [Business & Human Rights Navigator](#) (provides guidance to address various human rights violations such as child labour, disregard for freedom of association or disadvantage)
- ILO-IOE (2016), [Child Labour Guidance Tool for Business](#) (includes many practical tips and starting points to deal with violations of obligations in the area of child labour)
- Impactt (2021/2022): [Principles and Guidelines for the Repayment of Migrant Worker Recruitment Fees and Related Costs and Draft Principles and Guidelines for the Back Payment of Unpaid Wages](#)
- Various (multi-stakeholder) initiatives already publish information on complaints received and their resolution. Enterprises can use these examples to derive approaches for dealing with complaints. The following initiatives offer this transparency:
 - [Fair Wear Foundation Complaints Mechanism](#)
 - [RMG Sustainability Council Occupational Safety and Health Complaints Mechanism](#)
 - [Fair Labor Association Third Party Complaints Process](#)
 - [Amfori Speak for Change Programme](#)
 - [Minerals Grievance Platform](#)
 - [Roundtable on Sustainable Palm Oil Complaints on Appeals Procedure](#)

4.3 How can the effectiveness of complaints procedures be reviewed?

The Supply Chain Due Diligence Act places enterprises under an obligation not only to set up a complaints procedure, but also to review the effectiveness of the procedure at least once a year and on an ad hoc basis. In principle, the effectiveness of a complaints procedure can be assessed by asking two key questions:

- To what extent does the procedure enable and encourage relevant target groups to submit information even before a violation of obligations has occurred?

- To what extent does the procedure help to avert damage from reporting persons or to take appropriate remedial action when violations of obligation have actually occurred?

When reviewing the effectiveness of existing complaints procedures and designing and setting up new ones, enterprises are recommended to be guided by the effectiveness criteria of the UN Guiding Principles. The table shows the individual criteria and translates them into questions that enterprises can use when carrying out their effectiveness reviews:

II: Key questions regarding the effectiveness criteria of the UN Guiding Principles, taking into account the specific requirements of the Supply Chain Due Diligence Act	
Effectiveness criteria ¹⁰	Key questions for the review ¹¹
Legitimate	<ul style="list-style-type: none"> • Are there rules of procedure that clearly describe the process for addressing complaints? • Have clear responsibilities been specified for implementing the procedure and is the qualification of the persons responsible for processing complaints ensured by means of appropriate training?
Accessible	<ul style="list-style-type: none"> • Is information on the procedure available in a form adapted to the context and target group? • Does the procedure ensure the effective protection of reporting persons against disadvantage or punishment?
Predictable	<ul style="list-style-type: none"> • Do the public rules of procedure include information on the envisaged time frame for each stage of the procedure, possible outcomes, and how implementation will be monitored?
Equitable	<ul style="list-style-type: none"> • Is the necessary support available to ensure that target groups can actually use the procedure? • Do the target groups have access to the expertise, advice and information necessary to participate in the complaints procedure on fair, informed and respectful terms?
Transparent	<ul style="list-style-type: none"> • Is the reporting person provided with clear, transparent information throughout the procedure regarding its progress and results? • Is information on complaints received through the procedure and their resolution made publicly available?

¹⁰ UN Guiding Principles for Business and Human Rights, Principle 31.

¹¹ Adapted from CSR Europe (2013), [Management of Complaints Assessment \(MOC-A\) tool](#); see also UN Guiding Principles for Business and Human Rights, Principle 31.

II: Key questions regarding the effectiveness criteria of the UN Guiding Principles, taking into account the specific requirements of the Supply Chain Due Diligence Act	
Effectiveness criteria ¹⁰	Key questions for the review ¹¹
Rights-compatible	<ul style="list-style-type: none"> • Are complaints on serious human rights and environment-related violations of obligations treated as a priority and decision makers within one's own enterprise informed about them accordingly? • Are solutions and remedial measures developed in accordance with internationally-recognised human rights standards?
Source of continuous learning	<ul style="list-style-type: none"> • Is the procedure subjected to annual and ad hoc reviews of its effectiveness? • Is knowledge from processing information used to adapt the enterprise's own due diligence processes?
Dialogue-compatible	<ul style="list-style-type: none"> • Were important target groups consulted when the concept for the procedure was drawn up and during its design and were their specific needs identified? • Are dialogue-based approaches taken to processing complaints? • Upon conclusion of the procedure, are people who submitted complaints queried regarding their satisfaction with the process and its results?

Enterprises are recommended to develop and measure suitable Key Performance Indicators (KPI) to systematically measure effectiveness. Developments, trends and patterns can be identified and evaluated on the basis of the information and complaints received. It has been shown in practice that initially, the amount of information and number of complaints increase following improvement of the accessibility of a complaints procedure. This is to be evaluated positively since it is a sign of trust in the procedure. Over time, when remedial and preventive measures are effective and the lessons learned in the procedure have been put to effective use, their number generally declines to a steady level.

Examples of KPIs to measure the effectiveness of complaints procedures:

- Number of complaints (total/differentiated by topic)
- Information on the reporting person (target group classification, for example, own employees, employees of direct/indirect suppliers.)
- Proportion of resolved complaints (of the total number of complaints and differentiated according to the solution to the complaint, for example substantiated rejection, withdrawal of the complaint, remedy/no remedy, amicable settlement)
- Average length of time to resolve a complaint
- Satisfaction of those who submitted a complaint with the result of the procedure

¹⁰ UN Guiding Principles for Business and Human Rights, Principle 31.

¹¹ Adapted from CSR Europe (2013), [Management of Complaints Assessment \(MOC-A\) tool](#); see also UN Guiding Principles for Business and Human Rights, Principle 31.

Annex I: Further information and literature

General implementation guides

- UN GCD (2018), [Worth listening. Understanding and implementing human rights grievance management.](#)
- CSR Europe (2013), [Management of Complaints Assessment \(MOC-A\) tool](#)
- Centre for Research on Multinational Corporations (SOMO), [Overview of various types of grievance mechanisms](#)
- OHCHR (UN High Commissioner for Human Rights), [Interpretive Guide on the UN Guiding Principles](#) (page 63ff.)
- Business for Social Responsibility (BSR) (2021). [Seven Questions to Help Determine When a Company Should Remedy Human Rights Harm under the UNGPs](#)
- Federal Ministry of Labour and Social Affairs (BMAS) background paper [“Fachveranstaltung Aufbau von betrieblichen und branchenweiten Beschwerdemechanismen“ \(specialist event on establishing corporate and industry-wide complaint mechanisms\)](#)
- Ulla Gläßer, Robert Pfeiffer, Dominik Schmitz, Helene Bond, research report commissioned by the Federal Ministry of Justice (BMJ) (2021), [Non-judicial Grievance Mechanisms in Global Supply Chains](#)
- Office of the Compliance Advisor Ombudsman (CAO), [Grievance Mechanism Toolkit](#)

Sector-specific implementation guides

- Aim Progress (2022), [Grievance Mechanism Maturity 1.0 – Framework and Guidance](#)
- Ethical Trading Initiative (2019), [Access to Remedy – Practical Guidance for Companies](#)
- Ethical Trading Initiative (2017), [Background papers on effective grievance mechanisms](#)
 - CERNO, Government Approaches to Remedy for Workers: What can Companies Learn? A Discussion Paper
 - Ergon Associates, Access to remedy – operational grievance mechanisms. An issues paper for ETI. Corporate Case Studies
 - Dr Aidan McQuade, Grievance Mechanisms, Remedies and Trades Unions: a discussion document
 - Jesse Hudson, Mark Winters, NGO Leadership in Grievance Mechanisms and Access to Remedy in Global Supply Chains
- Partnership for Sustainable Textiles (2018), [Infopapier Beschwerde- und Abhilfemechanismen](#) (information paper on grievance and remedial mechanisms)
- Ethical Toy Program (2019), [Ethical Toy Program Worker Helpline – Successfully Addressing Factory Workers’ Concerns](#)
- IPIECA (2019), <https://www.ipieca.org/resources/community-grievance-mechanisms-in-the-oil-and-gas-industry>

**Examples of public rules of procedure
in existing complaints procedures of
(multi stakeholder) initiatives:**

Sector initiatives

- Toys: [Ethical Toy Program Worker Helpline](#)
- Textiles/clothing: [Fair Wear Foundation Complaints Mechanism](#), [RMG Sustainability Council Occupational Safety and Health Complaints Mechanism](#)
- Automotive: [Pilot project sector dialogue: automotive industry](#)
- Jewellery: [Responsible Jewellery Council Complaints Mechanism](#)

Cross-sectoral initiatives

- Trade: [Ethical Trading Initiative Alleged Code Violation Procedure](#)
- Employees' rights: [Fair Labor Association Third Party Complaints Process](#)
- Trade: [Amfori Speak for Change Programme](#)
- Palm oil: <https://rspo.org/>
- Minerals: [Responsible Minerals Initiative Grievance Mechanism](#)

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