



# Assurance Standing Committee 14th Meeting (via Zoom) Minutes of Meeting

Zoom Link : Zoom Meeting (https://zoom.us/j/96902843268) Date and time : 15 March 2023 at 4.00 pm - 6.30 pm (GMT+8)

#### Members Attendance:

Growers				
Name	Organisation	Group Representation		
Agus Purnomo (Co-chair) (AP)	Golden Agri Resources (GAR)	Indonesian Growers (IGC)		
William Siow (WS)	IOI Group	Malaysian Growers (MPOA)		
Mariama Diallo (MD)	SIAT Nigeria	Growers RoW		
Lawrence Quarshie (LQ)	Golden Star Oil Palm Farmers Association (GSOPFA)	Smallholders Group		
NGOs				
Name	Organisation	Group Representation		
Kamal Prakash Seth (Co-Chair) (KS) (absent with apology)	WWF International	E-NGO		
Paula den Hartog (PdH)	Rainforest Alliance	E-NGO		
Paul Wolvekamp (PW)	Both ENDS	S-NGO		
Marcus Colchester (MC) (absent with apology)	Forest Peoples Programme	S-NGO		
Supply Chain Sector / Downst	Supply Chain Sector / Downstream / Others			
Name	Organisation	Group Representation		
Olivier Tichit (OT)	Musim Mas Holdings	P&T		
Michal Zrust (MZ) (absent with apology)	Lestari Capital	Financial		
Lee Kuan-Chun (LKC)	P&G	CGM		
Vivi Anita (VA) (alternate member)	Musim Mas Holdings	P&T		

# **RSPO Secretariat Attendance:**





Name	Position
Aryo Gustomo (AG)	Interim Director, Assurance
Wan Muqtadir Wan Abdul Fatah (WM)	Head, Integrity
Mohd Zaidee Mohd Tahir (ZT)	Manager, Integrity
Freda Manan (FM)	Sr. Executive, Integrity
Kasih Putri Handayani	Specialist, Environmental Management
Amirah Nabilah	Sr. Executive, Environmental Management
Yen Hun Sung (HS)	Head, Impacts & MEL
Kenny Lee	Programme Manager

# Other attendance:

Name	Organisation	Role
Jan Pierre (JP)	ASI	RSPO Programme Manager
Matthias Wilnhammer	ASI	Operations Director
Arie Soetjiadi (AS)	HCVN	Senior Quality Officer
Ruth Silva (RS)	HCVN	ALS Quality Manager

Item	Description	Action Points
1.0	Introduction WM opened the meeting and invited AP to give welcome remarks. WM then briefly shared the agenda for today's meeting.	
1.1	RSPO Antitrust Law, ASC ToR (Objectives, Consensus-Based Decision Making) WM reminded the members of the RSPO Antitrust Guidelines and the objectives of the ASC. WM stated that the ASC follows the RSPO consensus-based decision-making process, in accordance with the ASC Terms of Reference.	
1.2	Declaration of Conflict of Interest, Col WM highlighted the ASC Col obligations. No Col was declared at this meeting.	
1.3	Acceptance of MoM from 1 December 2022 Meeting WM asked the ASC for comments or feedback on the final minutes from the previous ASC meeting on 1 December 2022. All members agreed to accept the minutes.	





# 2.0 For Decision

# 2.1 RaCP Tracker in the RSPO Website

ZT explained that the RaCP process has set timelines and the Secretariat provides quarterly progress updates. Since 2013, the progress is tracked in Salesforce with a unique ID for each case, but incomplete submissions have been detected in backlog cases. Currently, the Integrity Team manually updates case progress every quarter as Salesforce is not designed for automatic analysis, and it is an internal platform with updates only circulated within the Secretariat.

ZT added that the Integrity Unit has reduced ongoing RaCP cases from 800+ to 600+ in 14 months since operational transfer. The Secretariat developed an online tool, the RaCP Tracker, using Tableau to showcase progress, allowing viewers to track cases from first Disclosure to Satisfactory status. The RaCP Tracker has three dashboards: RaCP Tracker (overview), Summary of RaCP Progress and RaCP Process Indicative Turnaround Time. The Secretariat proposed to publish this RaCP Tracker on the RSPO Website.

HS said the dashboards are currently used by the Secretariat, with real figures extracted from Salesforce. Delays during the Disclosure process were caused by a lack of LUCA reviewers, which has improved since increasing their numbers. The high number of ongoing cases is due to Disclosures coming in faster than open cases can be closed, indicating interest in new units becoming P&C certified but also indirectly contributing to more backlog cases.

# **Discussion points**

A member suggested presenting LUCA completion times for different years to learn from past cases and potentially shorten completion for new cases. The member noted that a one-year approval process is too long, and the proposed change could increase trust in the assurance system and reduce the need for the Secretariat to issue exception notes. HS responded that estimates of turnaround times for RaCP cases are already in Dashboard 3, with average times of 48 days for LUCA, 140 days for Concept Note, and 61 days for Compensation Plan in 2022. However, legacy cases make it challenging to determine realistic turnaround times, and the Secretariat plans to publish this information in the future.

The member suggested highlighting recent average turnaround times and reducing the Concept Note and Compensation Plan turnaround time. HS said the request needs to be reviewed by the BHCVWG, and added that there are currently four active compensation panels. WM noted that the request can be considered in the next version of the RaCP reduction program. Individual certification units cannot track their submission progress now, but the feature could be added later. ASC approved the publication of the RaCP Tracker on the RSPO website after necessary changes were made.

The Secretariat to consider ASC's comments on the proposed RaCP tracker before publishing it on the website.

# 2.2 Draft Code of Conduct for RSPO Auditors

WM stated that the Secretariat developed a draft Auditors Code of Conduct to be integrated into future revisions of RSPO Certification Systems, covering guidelines for auditors conducting audits for P&C, SCC, and RISS. The draft has been reviewed by auditors in Indonesia, Malaysia, and Ghana, with 71.4% strongly agreeing with it. The draft has also been shared with the ASC's Standard Quality Subgroup and received no comments. WM highlighted crucial components such





as penalties for not following the code, general and ethics codes, and conduct towards the public, peers, and clients.

#### WM gave 2 options for the way forward:

**Option 1**: ASI to disseminate and get the code signed by all auditors. Then, ASI will monitor and include nonconformity in the CB's performance review, with penalties issued immediately following a warning.

**Option 2**: RSPO to communicate to all CBs Program Managers to make announcements via email. RSPO to follow up through monthly meetings and bi-weekly incident review with ASI, then disseminate related information at all future CB Interpretation Forums.

### **Discussion points**

One member suggested standardising the wording of the draft code of conduct and proposed that auditors should be professional in handling pressure from various parties. The member recommended going with Option 1 for the way forward, unless the Secretariat can monitor CBs like ASI. Another member suggested making the draft more specific by including that auditors should strive to advance RSPO's missions, but noted the 48-hour break between audits may not always be realistic. WM shared that many auditors appreciate the 48-hour rest between audits when the draft was shared with them.

A member inquired about the penalty for not being able to conduct RSPO audits until the auditor has observed four audits and whether there was any reference to ISO requirements. The member supported Option 1 but asked how ASI would manage it. Another member noted that auditors often prepare for the second audit while performing the first, so a more prescriptive clause for breaks between audits could improve quality and commitment from auditors.

WM asked if the ASC would provide online approval for the code of conduct within a month, which everyone agreed to. The ASC also agreed to Option 1 once the code is finalised. JP confirmed that ASI has resources to take on this task. One member noted that auditors would pass transportation and accommodation costs to the units being audited, so cost-effectiveness must be considered. Another member suggested defining "hospitality" and considering cost and accessibility to audit sites as well, since this relates to de-linking auditors.

The Secretariat to revise the draft code of conduct for auditors and send to the ASC for online approval one month after this meeting.

The Secretariat to pass the approved code of conduct for RSPO auditors to ASI for implementation and monitoring.

# 2.3 Proposals for Worker Voice Project (Ulula & WageIndicator)

FM shared two proposals for the Worker Voice pilot project:

# i. Ulula: Incorporation of Ulula's Worker Voice Technology into RSPO P&C Audits

Key features include an anonymous worker survey prior to P&C Audits (pre-audit) with questions mapped in accordance to the P&C, a modifiable pre-audit workflow, and a mechanism where the CB informs members, confirms method and date with Ulula who then engages for remote or on-site survey deployment, with live surveys lasting 5-10 days and participation tracking in the Ulula platform. The program will be implemented in 3 countries - Malaysia, Indonesia and Guatemala (up to 20 sites) and has benefits such as data integrity, privacy, security and GDPR compliance, improved risk assessment and issues identification, better time and resource management for auditors, and an anonymous and accessible channel for workers to express perceptions, as well as increased awareness of workers'





rights. The program will undergo a 3-month trial concurrently (April to July) with an evaluation in August, and has a pricing of US\$11,500 (MYR 51,454).

# ii. WageIndicator: Strengthening Workers' Voice through DecentWorkCheck (DWC) and Worker Priority Poll (WPP)

This initiative involves the use of DWC to verify members' compliance with Malaysian and Indonesian labour laws, as well as the WPP to engage workers, understand their priorities, and strengthen their voice. DWC will involve interviewing 30 workers per site and analysing the data by WageIndicator, while WPP will be designed based on DWC results, with non-compliance and workers' priorities shared with RSPO and members. The initiative will take place in 2 countries, with the aim of discovering issues with labour law compliance, informing auditor checks, and grievance mechanisms, and raising awareness of worker rights. The timeline is from April to December, with a pricing of EUR 20,000 (MYR 95,192). FM informed that the Secretariat's budget for this project is MYR50,000.

#### **Discussion points**

A member suggested that the pilot program would benefit from a hands-on approach by leveraging WageIndicator's (WI) extensive experience working with companies and workers on the ground. WI's global database of labour-related national legislations would be useful for the trial and additional instruments are needed to improve the auditing process. WI's experience in other sectors such as garments and electronics could also be useful. Another member questioned why the number of sites are so different. FM said this is due to the difference in survey methods used by Ulula (phone surveys) and WI (one-to-one interviews). The member added that budget implications need to be considered to ensure the data collected is meaningful. This involves deciding whether to interview everyone or use sampling, as well as looking at increasing the number of sites.

One member expressed uncertainty about whether to proceed with the project now, given the new focus on the Living Wage strategy. The member also cautioned the Secretariat to be mindful of the budget, as WI's cost far exceeds the budget. Another member requested a more comparable table for the proposals, as they differ in direction, methodology, and target. The member emphasised the importance of the legal context, as growers must comply with local laws and regulations, and suggested exploring what Ulula can offer in this regard, while noting that WI has a huge database of national labour regulations and laws.

A member supported working with a party that has expertise instead of building a new database and disagreed with concerns about the cost since RSPO has sufficient funds and needs to be better prepared to address labour issues. The project will complement other ongoing ones such as the new Living Wage strategy and should be started as soon as possible. Additionally, the member noted that companies need access to up-to-date data due to differences in national laws and RSPO should be better prepared to tackle these issues.

A member asked for clarification on the issue the project is trying to solve and if it is related to strengthening data collection on social aspects, it should be more closely related to the P&C. WM said the project aims to give auditors more data and prompt better audits, and that the two providers were approached on how they could complement the P&C audit process. WM concluded that a decision cannot be made at this time, and that the Secretariat needs to review the proposals in

The Secretariat to review the Ulula and WageIndicator proposals and restrategise the way forward.





terms of budget usage and data availability at national and subnational levels.

# 2.4 Draft ToR for Initial Study on De-Linking Business Relations between RSPO-Accredited Certification Bodies and Auditees

A member asked if it is okay for ASI to join this discussion since it is closely linked to them. WM explained that this is more concerning the CBs and not ASI and that ASI has been looking into other models of de-linking as well. WM suggested that if necessary, JP can leave the call and come back when the discussion is over. ASC asked JP to stay for the proposal presentation, give his comments, then leave the call when ASC is discussing it.

WM explained that de-linking auditors from certificate holders promotes independence and impartiality in the auditing process. This aims to prevent any undue influence or conflicts of interest that could compromise the auditor's objectivity and professionalism. Additionally, it is expected to enable audit firms to compete based on their merits and quality of service.

WM shared a history of this de-linking project which started in 2017 with a study by Liza Murphy, followed by the passing of Resolution GA15-6c in 2018. In 2020, Andy Whitmore from IUCN conducted a study, and in 2021, an Assurance Gap Analysis was performed. Discussions related to de-linking were held within the ASC in 2022, and currently, Terms of Reference (ToR) are being developed for conducting the de-linking study.

WM shared 3 examples of de-linking by other scheme owners:

- i. Rainforest Alliance (RA) Audit Allocation System uses a risk scoring model to determine the need for allocations, then match Certification Bodies (CBs) and Certificate Holders (CHs). Payment is still made directly from CH to CB. This system reduces CH compliance risk, increases audit quality and allocates more audits to best performing CBs, while enforcing standardised audit parameters.
- ii. Independent Forest Audit Process and Protocol by Ontario Ministry of Natural Resources appoints auditors through the Forestry Futures Trust Committee (FFTC), which consists of forestry professionals who evaluate proposals and select audit firms. FFTC also reviews draft reports and approves final reports and payments. However, the process was criticised for being complex and inefficient, and the small number of participants made it difficult to assess its effectiveness. Reports were sometimes published a year or two after field visits.
- iii. Best Aquaculture Practices (BAP) by Global Seafood Alliance operates a pool of seven CBs to evaluate compliance with their guidelines. The CH can request a specific CB, subject to BAP's approval. There is an auditors rotation policy, where the same auditor cannot be used to audit the same facility more than three times in a row (Note: this information was corrected as pointed out by a member). The BAP sets the fee schedule, and the CH pays BAP, who pays the CB. Regional contacts are responsible for overseeing the program, and the scheme encourages CBs that meet public criteria to join. However, the program is costly and paid for through a general program fee.

WM explained the objectives:

 Review the practicality of commercial relation agreements or financial linkages between certification bodies and auditees;





- Explore options to de-link the financial linkages between certification bodies and their auditees without affecting their business model;
- Identify the actual and potential obstacles that may be faced by the CBs and their clients when there is no direct financial linkage. The certification cost may be managed by independent bodies;
- Recommendation on suitable financial scheme to manage the certification costs, which shall be independent and not have a direct linkage with CBs;
- Highlight the advantages and disadvantages of de-linking business relations between CBs and Auditees, for the RSPO Secretariat and its members.

WM stated that the Secretariat is seeking feedback on the draft Terms of Reference (ToR) for the study. After finalising the ToR, an Expression of Interest will be posted on the RSPO website to find a suitable party for the study. Quarterly updates will be provided to the ASC, and the final report is expected to be submitted by November 2023.

#### **Discussion points**

A member pointed out that this will be the third study on the same topic, and highlighted that the RSPO standards are notably complex and rigorous, making it difficult to compare with other standards. The member expressed concern that rating growers and directing them to specific CBs could potentially pose a risk to RSPO. Instead, the group should explore the possibility of improving the current accreditation system by considering the addition of more accreditation bodies. The member noted that unlike BAP, RSPO has a well-established system and it would be better to focus on making it work effectively rather than constantly changing it.

Another member noted that in some countries, there are limited options for CBs, so it will be ASI's responsibility to generate more interest among CBs. The member also pointed out one of the objectives; *Recommendation on suitable financial scheme to manage the certification costs, which shall be independent and not have a direct linkage with CBs* - this should be the unit of certification instead of CBs.

A member commented that in terms of rating UoCs and CBs, RA found it to have de-risked the system and improved the quality a lot. The member asked about the focus of the new study, and WM replied that it will examine the financial aspect of de-linking, as the previous study did not cover this. AG emphasised the study's mandate from the Assurance Gap Analysis report i.e to explore a potential financial scheme and challenges to CHs, CBs, and ASI in de-linking business relations. Another member recommended that RSPO should also look into individual auditors to ensure quality if they move from one CB to another.

A member asked about the purpose of de-linking the financial relationship, and whether RSPO will absorb some of the costs or introduce standard rates for CBs. AG clarified that the main objective is to identify the challenges and impacts of de-linking, such as potential effects on CB impartiality and independence.

WM then asked ASI's opinion, and JP replied that due to a potential CoI, he needs to be careful in commenting. However, ASI will share a document on potential de-linking for RSPO's consideration. WM noted that no decision could be reached on the ToR and proposed revising it for discussion with the Standards Quality

The Secretariat to revise the ToR for initial study on de-linking business relations between CBs and auditees and discuss it with the Standards Quality Subgroup before bringing it back to the Q3 ASC





	Subgroup before bringing it back to the Q3 ASC meeting in August 2023. The members agreed to this proposal.	meeting (tentatively 29 August 2023).
3.0	For Discussion	
3.1	Progress of Complaints and Appeals Procedure (CAP) Review WM shared that the CAP review process started with a literature review from December 2022 to January 2023. From January to February 2023, approximately 60 stakeholders were consulted virtually and in-person in Malaysia and Indonesia, and a CAP review survey received 128 responses with a 50% completion rate. The 2nd Steering Group meeting will be held on 17 March 2023 in Kuala Lumpur as a hybrid meeting. No comments were received on this topic.	
3.2	RSPO Digital Framework and Digitisation  HS explained that the current RSPO system is non-unified, manual, and lacks digital elements, leading to challenges in aggregating data and analysis due to disparate and non-integrated procedures used by each certification body. Meanwhile, the current trading & traceability system in RSPO relies on manual references and lacks digitalisation and data elements, creating limited traceability for mills and first buyers (refineries). The system is based on the supply chain model of IP, SG, MB, and RSPO Credits.	
	HS presented the <u>digital framework concept for certification</u> .  Concept: A single, unified digital platform for RSPO incorporating all pre-Certification and Certification procedures and requirements, to be used by all parties (Members, CBs & Auditors, Accreditation Bodies [ASI], RSPO), and serves as a one-stop-shop and one-single-data-source for P&C, ISH and SCC certification activities. It will be divided into two (2) phases:  Phase 1	
	Consolidation – unifying critical elements necessary for P&C, ISH and SCC reporting of audits and certification; providing access and understanding for members and CBs Replication – reproducing the current critical functions necessary for P&C, ISH and SCC certification	
	Phase 2 Integration – expanding the scope and systems of the digital platform to include other pre-Certification and Certification requirements, e.g. Disclosure/RaCP, PalmGHG, NPP, Peatland Inventory, Drainability Assessment, etc.	
	HS presented the <u>digital framework concept for trading &amp; traceability.</u> Concept: A unified platform with high integration with the RSPO Certification platform to facilitate seamless trading of RSPO certified palm oil products (physical, RSPO Credits) and provide enhanced traceability by transmission of key due diligence assessments upstream to downstream as an addition to the RSPO standards in order to meet current regulatory requirements and expected new regulations. It will be divided into three (3) phases:  Phase 1: Traceability to Mill (TTM)	
	Replication – reproduce the current critical trading (reporting of mill to first buyer, RSPO Credits trading platform) functions necessary for traceability Stitching – connect certified RSPO members in the downstream supply chain to create a supply chain map linked back to mill level  Phase 2: Traceability to Plantation (TTP)	





Extension – extend the scope of the traceability system upstream to plantation/supply base level, including elements of Due Diligence assessment Integration – develop traceability mechanism for non-certified RSPO downstream members to complete the supply chain map

# Phase 3: TTP by trade/batch (TBC or Optional)

Expansion – expand the scope of the traceability system for downstream members to move from traceability by source/supplier to traceability by individual trade/batch.

HS also gave an update on digitisation. The digitisation of P&C audit reports began in February 2023, with an initial focus on digitising historical P&C 2018 audit reports. Approximately 2,000 audit reports are expected to be digitised by two contract staff, overseen by Assurance and Impacts/MEL. Digitisation is also planned for ISH and SCC audits. Interim results are expected by the end of June 2023, and the framework and analysis of digitisation will be used as a foundation for the Digital Framework (Certification), risk assessment matrix, guidance for CBs, and more.

#### **Discussion points**

A member asked if CBs can input data digitally from the beginning. HS said RSPO is exploring how to best capture the data as CBs have different approaches to data requirements. The digital certification platform will be designed based on the framework with input from members, CBs, and ASI. Another member suggested having a one-stop platform for members. HS said that is the vision i.e. a single database for all necessary elements without duplication.

A member suggested adding historical context to the data for future ease of review and being mindful of who can access the platform, citing an example of restricted access to maps in Indonesia. HS emphasised the importance of confidentiality and data governance, and that RSPO will seek permission from members on what data can be shared. HS also mentioned the possibility of an 'opt-in' option for members to choose which data to share.

#### 3.3 ASI Recommendations on the Witness Effect

JP shared that ASI has compiled a database of over 2,400 RSPO P&C audit reports, including more than 4,900 major and 3,800 minor Non-Conformities (NCs), through manual data extraction from PDF files since 2015. ASI is now leveraging this data to enhance its assurance activities and provide new perspectives on RSPO certification.

JP presented information related to the ASI "witness effect".

#### **Key findings:**

- Witness effect has been identified in individual CABs much more NCs when being witnessed
- Also clearly visible at individual auditors level.
- CAB "transfer strategy", for example, CAB B has a very low number of initial certifications audits compared to recertification audits which means they are mainly taking over certificates that were with other CABs before. CAB B also raises systematically less NCs than competitors

# **CAB** initial responses:

Changing of standards from 2013 to 2018, addressing gaps for social requirements of 2013 standard, and weak auditing during COVID pandemic due to





remote auditing.

#### **Recommendations and next steps:**

- Raise transparency by sharing data insights with CABs and formally requesting clarification. Also conduct a focused investigation during head office surveillance by reviewing previous audits and identifying gaps between surveillance years.
- Increase accountability at the level of CABs and individual auditors through increased surveillance, focused assessments, and compliance assessments.

#### **Discussion points**

WM requested ASI to update the Secretariat on the actions that have been taken from the recommendations presented. AS asked if there are any insights into the assumed root cause for the "witness effect" findings. JP responded that CB capacity is not a problem, as they continue to raise more NCs during witness audits. ASI will work with CBs to identify the root causes and measures being taken to prevent this issue.

#### 4.0 For Updates

WM reminded everyone that information in this section had been shared in the pre-read sent prior to the meeting.

# 4.1 | Assurance Progress Report Q4 2022

ZT mentioned that this is the last progress report that will be produced by the Secretariat because it has been one year since the Assurance Gap Analysis report was endorsed.

# 4.2 Updates from Living Wage Task Force (LW-TF)

WM updated that there is a revised Living Wage strategy. 2022-2024 will be focused on developing prevailing wage calculation procedures, finalising the baseline study and revising the strategy based on standard review (P&C 2023) outcome.

#### 4.3 Updates from the Action Tracker

WM mentioned that most items have been completed or superseded. Any new tasks resulting from this meeting will be added to the tracker to be completed along with other ongoing tasks.

#### **Discussion points**

A member asked for more information on the LW-TF. WM explained that the Decent Living Wage term has been changed to Living Wage, which is more commonly used. The 2023 Standards Review will focus on capacity building for members to implement Living Wage effectively, including training on LW concepts and developing reporting systems. Socialising the revised strategy is important for the 2023 Standards Review process while the 2028 Standards Review will explore different LW methodologies and strategies for closing any gaps.

WM asked if there's a need for more Assurance Progress Reports since download rates have not been impressive and the remaining items require continuous training and engagement with members. A member asked if this is due to the Secretariat's workload and stated that without the progress report, it would be a long review of the action tracker. ZT said it is because of uncertainty on how to

The Secretariat to explore another way to report progress of the Assurance Gap Analysis work





	report continuous action items. WM said the Secretariat will find another way to improve progress reporting.  RS asked about the ongoing action item involving HCVN that resulted from the ASC meeting in September 2022. WM responded that the Secretariat is currently making preparations to address the action items and will reach out to HCVN soon either via email or during a management meeting.	plan instead of producing Assurance Progress reports.
5.0	Any Other Business	
5.1	ASC-CP June 2023 Meeting - Proposed date and possible topics WM proposed two dates, 14 and 15 June 2023, for the joint meeting. The Secretariat will send a Doodle poll to confirm the date. No additional topics were suggested apart from "Labour," which had been discussed in previous meetings. The team will work with the Grievance Unit to identify the topics. WM reminded the ASC to bring the meeting's matters to the BoG, as improving the labour situation through the ACS-CP mechanism was one of the agreed action items.	
5.2	Any Other Business WM asked if there are other topics the ASC would like to raise, to which no one responded.	
	End of meeting WM thanked everyone for participating and handed over to AP to close the meeting. AP said the meeting was productive and expressed optimism for more progress in the coming months.	
	The meeting adjourned at 6.30 pm.	