Establishing and Implementing Remediation Procedures

According to the UN Guiding Principles on Business and Human Rights (UNGPs), remediation is a core component of the responsibility to respect human rights and of ensuring access to remedy for affected people.

Even where Managing Entities (MEs) have strong policies and responsible practices in place, their operations or business relationships may still be linked to adverse human rights impacts. When such impacts are identified, companies are expected to take active steps to address them, either independently or in cooperation with other actors.

This quick guide is primarily intended for MEs, however it may also serve as a reference for 4C cooperating Certification Bodies (CBs) when assessing whether 4C System Users have appropriate remediation procedures in place. The factsheet provides practical guidance on:

- defining remediation and its links to the grievance mechanism
- defining roles, responsibilities, and internal processes for managing remediation
- establishing and implementing effective remediation procedures

Remediation

Remediation refers to the process of addressing adverse impacts by providing appropriate redress. This may include rehabilitation, financial or non-financial compensation, punitive or corrective measures, and actions aimed at preventing further harm, such as guarantees of non-repetition.

Remediation is a key step of a Human Rights Due Diligence (HRDD) system as it ensures that when adverse human rights impacts occur, they are addressed in a meaningful, timely, and rights-compatible way that prioritises the safety, dignity, and best interests of affected people. Effective remediation not only provides access to remedy for those harmed, but also helps restore trust, strengthen accountability, and identify root causes of impacts, enabling businesses to prevent similar harm from recurring and to improve their systems and practices over the long term.

Link to grievance mechanisms

Effective grievance mechanisms are essential to ensuring that individuals or groups affected by harm have accessible channels to raise concerns and seek remediation. MEs and Business Partners (BPs) should ensure that their remediation procedure is closely aligned with, and supported by, their grievance mechanisms.

Grievance mechanisms are a core element of human rights due diligence, as they enable early identification and resolution of issues and facilitate access to remedy where harm has occurred. It is therefore essential that stakeholders are informed about the available reporting channels, understand how to use them, and feel safe and supported in doing so.

1. How to Set up a Remediation Procedure?

MEs should be prepared to address situations where harm has occurred by establishing procedures that enable timely, effective, and appropriate responses, including suitable remediation measures. A remediation procedure supports MEs in responding appropriately when concerns are raised, while ensuring that any actions taken align with the long-term best interests of the affected individuals. This procedure may be documented as a Standard Operating Procedure (SOP), guideline, or handbook.

An effective remediation procedure is guided by key principles:

- it prioritises the safety and best interests of affected individuals
- complies with applicable national and international laws
- includes measures to prevent the recurrence of similar impacts

The 4C Code of Conduct includes specific checkpoints that focus on remediation by ensuring that adverse impacts are identified, addressed, and appropriately resolved, such as:

- ME 1 - A due diligence-based internal management system has been developed, implemented, and documented, including risk mitigation, commitment to comply with 4C requirements, and the appointment of responsible staff for its implementation
- ME 38/P 22/SP 22 - Children under the age of 15 (or below the age of completion of compulsory education) are not part of the regular workforce
- ME 47/P 35/SP 35 - A grievance mechanism, which respects anonymity and protects complainants when requested, is established and communicated to all workers of the ME and its BPs
- ME 48/P 36/SP 36 - Concrete measures to prevent, remediate, or solve the cases reported via the grievance mechanism have been implemented and proper feedback has been provided to the respective person reporting a case (not applicable to smallholders)
- ME 49/P 37/SP 37 - Policies to promote gender equality among the BPs and their workers are in place

2. What should a remediation process include?

4C suggests that the remediation process should explicitly include:

1. Designates a remediation team and defines clear roles and responsibilities

When appointing a remediation team, organisations should consider having members with the right technical expertise, decision-making authority, and clear accountability to act quickly and effectively. The role of the remediation team is to identify root causes, design/propose and implement corrective actions, mitigate risks, and ensure issues are resolved sustainably while preventing recurrence.

The table below provides recommendations on the composition of the remediation team, so as the roles as responsibilities of the team members:

Role Category	Role	Responsibility	Examples
Governance	4C Unit Manager	• To ensure the compliance of the BPs within a 4C Unit. • To ensure that proposed corrective measures, preventive measures are implemented and monitored.	• ME team lead or IMS responsible staff
Execution and Improvement	Implementer or practitioner	• To implement proposed corrective measures, preventive measures. • To monitor the results and prevent the recurrence via regular monitoring, internal audits/assessment, and implementation of preventive measures.	• ME staff • related BPs • other stakeholders in the community if relevant
Technical expertise	Expert or advisor	• To provide accurate advice to implementation and prevention.	• ME staff who have relevant technical knowledge/ expertise • external consultant when needed
Oversight	Internal and/or external auditor/ verifier	• To evaluate/ verify and confirm the correction.	• internal auditor • CB and external auditors • 4C Integrity auditors • representative(s) of stakeholders from the community if relevant

2. Provides guidance for responding when harm is suspected, reported, or identified
3. Offers guidance on the development and implementation of an appropriate remediation plan
4. Explains how to establish and maintain a process for monitoring remediation outcomes

The tables below provide an overview of the recommended steps and actions for responding to harm. These steps cover points 2-4 described above and are presented across two key stages: immediate response and remediation actions.

Stage 1. Immediate Response	
Assign responsible person/team	• The remediation team appoints a responsible person or team to manage the specific case. • The selection of the person or composition of the team should depend on the nature of the issue and may include internal staff and, where appropriate, external experts. • Team members should have relevant expertise and experience related to the subject matter of the case (e.g. labour rights, child protection, occupational health and safety, or community impacts). • Clear roles and responsibilities should be defined to ensure accountability and effective decision-making throughout the remediation process.
Protect affected person	• Before initiating any investigation, immediate measures to protect the affected person should be considered and applied where necessary. • This includes assessing potential risks to the safety, well-being, and rights of affected individuals and taking urgent steps to prevent further harm. • The situation should be clearly explained to affected persons in an appropriate and accessible manner, ensuring confidentiality, informed consent, and protection against retaliation. • This protection considerations must guide all subsequent actions.
Conduct a factual investigation	• A factual investigation should be conducted to establish a clear understanding of the circumstances surrounding the case. • This includes collecting relevant information, documenting events, reviewing records, and, where appropriate, interviewing involved parties. • The investigation should be impartial, thorough, and proportionate to the severity of the alleged harm. • Its purpose is to identify what happened, why it happened, who was affected, and the root causes of the impact. • Based on the findings, preliminary conclusions and draft recommendations should be developed.

Stage 2. Remediation	
Develop and approve remediation action plan	• Based on the findings of the factual investigation, a remediation action plan should be developed. The plan should: ○ Clarify the shared understanding and intent of all relevant parties ○ Define the context, objectives, scope, timeline, roles, responsibilities, and monitoring arrangements ○ Set clear objectives and specify concrete actions to address harm, restore rights where possible, and prevent recurrence ○ Be developed and, where possible, agreed in close collaboration with the affected person(s) ○ Ensure transparent and ongoing communication to manage expectations and build trust ○ Be formally reviewed and approved by the appropriate decision-makers ○ Be shared, as appropriate, with relevant stakeholders, including affected individuals, business partners, and competent authorities • Each remediation plan must be tailored to the specific case and context, reflecting the nature of the impact, the needs of affected persons, and the company's role and level of responsibility.
Implement remediation action plan	• Once approved, corrective actions must be implemented without undue delay. Where potential violations of local criminal law are identified, relevant local authorities should be involved in accordance with legal requirements. • The following recommendations should be considered when implementing remediation actions: ○ If it was found that the ME causes the harm directly, it should act immediately to stop or prevent it ○ If it was found the ME contributes to the harm, it should stop its contribution and take steps to reduce the remaining harm ○ If the harm is linked to a BP, the company should try to influence that BP to address the issue, even if it does not fully control their actions ○ MEs should use their influence (leverage) wherever possible to encourage change ○ Where harm has occurred, companies should support or enable remediation, such as fixing the problem or helping affected people access solutions

Monitor measures	• Follow-up measures to assess whether the agreed actions have been implemented effectively and whether they have achieved the intended outcomes. • Verify that the harm has been adequately addressed and that measures to prevent recurrence are working in practice. • Lessons learned should be documented and integrated into existing policies, procedures, and due diligence processes.