



Assurance Standing Committee 12th Meeting (via Zoom) Minutes of Meeting

Venue : Zoom Meeting (https://zoom.us/j/95051551988) Date and time : 22 September 2022 at 4.00 pm – 6.00 pm KL time

Members Attendance:

Growers			
Name	Organisation	Group Representation	
Agus Purnomo (Co-chair) (AP)	Golden Agri Resources (GAR)	Indonesian Growers (IGC)	
William Siow (WS) (absent with apology)	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)	WWF International	E-NGO	
Paula den Hartog (PdH)	Rainforest Alliance	E-NGO	
Paul Wolvekamp (PW)	Both ENDS	S-NGO	
Marcus Colchester (MC)	Forest Peoples Programme	S-NGO	
Supply Chain Sector / Downstream / Others			
Name	Organisation	Group Representation	
Olivier Tichit (OT) (absent with apology)	Musim Mas Holdings	P&T	
Michal Zrust (MZ)	Lestari Capital	Financial	
Lee Kuan-Chun (LKC) (alternate member)	P&G	CGM	
Vivi Anita (VA) (alternate member)	Musim Mas Holdings	P&T	





RSPO Secretariat Attendance:

Name	Position
Aryo Gustomo (AG)	Deputy Director, Compliance
Wan Muqtadir Wan Abdul Fatah (WM)	Head, Integrity
Zaidee Mohd Tahir (ZT)	Manager, Integrity
Freda Manan (FM)	Sr. Executive, Integrity
Shazaley Abdullah (SA)	Head, Certification
Amirul Ariff	Manager, Certification
Leena Ghosh (LG)	Head, Human Rights and Social Standards
Prasad Vijaya Segaran (PVS)	Manager, Human Rights and Social Standards
Nur Adilla	Manager, Human Rights & Social Standards

Other attendance:

Name	Organisation	Role
Ruth Silva (RS)	HCVN	ALS Quality Manager

Item	Description	Action Points
1.0	Introduction WM briefly shared the agenda for today's meeting.	
1.1	RSPO Antitrust Law, Recap ASC ToR (Objectives, Consensus-Based Decision Making, Declaration of Conflict of Interest, Col) 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. WM highlighted the ASC Col obligations. No Col was declared at this meeting.	
1.2	Acceptance of MoM from 19 May 2022 Meeting WM asked the members for comments or feedback on the final minutes from the previous ASC meeting on 19 May 2022. A member asked if the issue on whether audits are meant to be performance-based rather than relying on documentation and little checking on the ground was discussed in this meeting. AG clarified that the matter was raised in the ASC-CP meeting in June 2022 and not in this particular meeting. All members then	





	agreed to accept the minutes.	
2.0	For Decision	
2.1	Endorsement of RSPO Labour Auditing Guidance Based On the RSPO Principles & Criteria AG shared that there was a need to establish specific labour assessment guidelines for CBs and the Secretariat has developed the RSPO Labour Auditing Guidance Based On the RSPO Principles & Criteria to improve auditability of labour requirements of the RSPO P&C and ensure a consistent system and approach to plan and execute RSPO P&C audits. AG continued by highlighting some critical elements in the guidance document which includes time allocation for interviews, sampling methodology, logistical arrangement and measures to maintain interviewees' safety and confidentiality. AG informed that the SSC had given a conditional approval on 25 August 2022 provided that it must be clearly stated that it is a voluntary guidance document, usage must be limited to 18 months and an independent review must be conducted following that to evaluate the impact of the guidance in improving labour auditing among CBs. In line with SSC's approval, AG proposed the ASC to endorse the use of this document for a trial period of 18 months and as a voluntary guidance document for the RSPO P&C and that all comments from the SSC and ASC will be incorporated into the guidance before the final document is released.	
	Discussion points A member asked about the difference between the document and previous common practices e.g. how many man-days need to be added. AG answered that the guidance includes several recommendations e.g. at least 2 man-days for initial desktop review, estimate number of samples & time for each interview. Another member asked if the Secretariat will report back to the ASC after the 18 months trial, and if so, in what format. AG confirmed that the Secretariat will report back to the SSC and ASC but the reporting format has not been decided and the ASC is welcomed to suggest measurable parameters to evaluate the effectiveness of the document.	
	Another member asked if the 18 months trial period will be stated in the document, if a template will be provided to CBs to give input on their usage of the guidance and the type of training that will be provided. AG responded that the 18 months trial will be clearly mentioned either in the document or in the web announcement. He added that socialisation of the document will be planned after the endorsement i.e at least one physical session during the CB Forum and a series of webinars for each region. Another member asked about selection of interviewees and measures to ensure their confidentiality and understanding of the P&C. The member added that the independent review should confirm the sufficient time required for each interview and a Terms of Reference (ToR) need to be drafted for it. AG responded that auditors should select interviewees and	The Secretariat to incorporate the SSC and ASC's comments to finalise the Labour Auditing Guidance





requirements to maintain confidentiality and anonymity and how auditors need to manage interview time, especially for sensitive topics. Another member emphasised the importance of ensuring quality of social audits as has been highlighted in past discussions with the Complaints Panel.

the website as a voluntary guidance document for trial usage of 18 months.

Another member asked about the status of the guidance during the trial period. AG answered that the guidance will be a final version but usage is limited to 18 months. The member asked further about the implication on audits if CBs do not use the guidance. AG replied that it is a voluntary document so there will be no direct implication to CBs for not implementing it but the Secretariat will encourage its use during the socialisation and ASI will be involved in the monitoring.

The Secretariat to develop a ToR for the independent review of the Labour Auditing Guidance prior to the end of the 18 months trial period.

WM asked for final approval on the RSPO Labour Auditing Guidance. He explained that the ASC has two weeks to submit further input, after which the Secretariat will finalise the document and publish it as a voluntary guidance for a trial period of 18 months. The Secretariat will also develop ToR for the independent review after the trial period and report back to the SSC and ASC. This was accepted by all.

2.2 Clause 5.7: Sampling for RSPO P&C Certification

SA shared that the current requirement under 5.7.1 stated that for units of certification with less than 4 estates, all estates shall be audited. However, units of certification with more than 4 estates need to apply a sampling formula of $(x = (\sqrt{y}) \times (z))$, taking into consideration the Risk Level as stipulated in section 5.7.3. This has been seen as giving more leniency for units of certification with more than 4 supply bases, and created the assumption that Low Risk level may be audited at less than 4 estates. Data gathered by the Certification Unit as of 30 July 2022 shows that there are 125 units of certification with more than 4 estates, and 11 CBs are in charge of auditing them. Out of the 11 CBs, only 4 CBs applied the sampling formula and concluded that the minimum number of estates to be audited is 4. Meanwhile, the remaining CBs applied the sampling formula and ended up with a smaller number of samples [less than 4] to be covered in every audit. Therefore, there is a high risk for units of certification to be audited at less than 4 estates in every assessment if this confusion remains. SA proposed to add the following interpretation to section 5.7.3: "In the event the result of calculation is less than four (4) estates, the minimum number of estates to be audited is four (4)."

Discussion points

A member asked if CBs will be given time to make the necessary preparations to fulfill this requirement. SA answered that CBs will be given one months from the date of announcement to review their contracts and audit planning. Another member asked why the sampling formula is not applied to all. SA replied that the objective is to increase the number of sampling, to avoid missing certain angles and information. Another member asked how should the estates to be audited be selected. SA answered that CBs need to ensure rotation and not audit the same sample every year.

WM asked for final approval of the proposed interpretation to be added in

The Certification
Unit to revise
section 5.7.3 of the
Certification
Systems Document
2020 to include the
statement on
minimum 4 estates
to be audited, and
publish it in the
RSPO
Interpretation





	section 5.7.3 of the Certification Systems Document, and rolled out in the RSPO Interpretation Forum (RIF). The ASC gave their approval.	Forum (RIF).
3.0	For Discussion	
3.0 3.1	HCVN: Assurance Updates and Ideas on Management & Monitoring RS shared about recent collaborations between HCVN and RSPO i.e joint strategy to strengthen licensed assessor capacity and quality assurance, improvement of the ALS system following an Independent Review and supporting RSPO in the transition to HCV-HCSA assessments. ALS performance has improved: 1.4 % of evaluations delayed (1/69) 100% evaluations within target duration (many below target) 9% of evaluations appealed (only 6% accepted or partially accepted) No new complaints since May 2021 46% reports needed a second resubmission (down from 80%) 14% satisfactory at submission 28 fully licensed assessors (of 59) 68 Quality Panel members (39 for Southeast Asia) Also based on the independent review, the following actions are currently in progress: Checklist for report evaluations in trial (consistency) Training for Quality Panel members Procedure for ALS controlled documents Fees simplified and updated Operational coordination with RSPO and HCSA Secretariats (coordination group) Technical support to RSPO: P&C Technical Committees (People and Planet), Standards Quality Sub-Group, ISH NDTF, Jurisdictional WG Technical support to HCSA on quality assurance Engagement with stakeholders: Company Discussion Group and ALS Working Group (assessors, quality panel members) RS continued with an overview of the outcomes: September 2021 to 1 September 2022 - 31 published reports (by 17 assessors) with total area: 288,693ha Assessment types: 11 HCV, 20 HCV-HCSA Regions: SEA 21 reports (208,147ha), LatAm 9 reports (65,639ha), Africa 1 report (14,906ha) Accuracy in reports: 13 reports increased HCV Management area, 2 reports increased HCS Forest area Total HCV Management area increase after QA: 3,341ha Total HCS Forest area increase after QA: 3,341ha Total HCS Forest area increase after QA: 2,3ha Additional values identified: HCV 1 (1 report), HCV 2 (1 report), HCV 3 (3 reports), HCV 4 (1 report), HCV 5 (2 reports) HCV 6 (1 report)	
	of HCV-HCSA for companies and scheme smallholders with land clearing and for ISH, HCVN is involved in HCV probability maps and HCV-HCSA	





(medium & high risk). RS stated that it is crucial that Landscape Screening goes beyond probability mapping and includes discussion of threats & trends as well as delineation of priorities. RS noted that the BHCVWG has commissioned studies on the management of HCVs and HCVN is interested to learn about how the recommendations are being used. Discussions have been focusing on HCVs not being protected or changing over time and no clear or updated documentation on the impact of HCV protection so it is important to discuss growers' capacity to implement HCV management and learn from what is being done. HCVN is also involved in P&C review to ensure it does not only focus on performance, but also the impact in maintaining or improving the values. Finally, RS mentioned the importance of designing a monitoring system that uses the information as a baseline and to consider independent assurance on the implementation of the management and monitoring of HCVs.

Discussion points

A member asked about the work on high forest cover countries such as in Africa region and challenges of adopting HCSA from Southeast Asia to other landscapes and how HCVN will be involved in it. RS responded that a confidentiality agreement has been signed for the Technical Committee that HCVN is involved in so not much can be disclosed.

Another member asked about whether there is a plan to create or if there is an existing standardised way of collecting and reporting data on HCV areas and if HCVN can share it. RS answered that HCVN is not aware of how RSPO is monitoring HCV status and whether there is a shared global indicator to report it but is keen to work with RSPO to develop a system that is tailored to the standards' needs, with understanding of what is being done on the ground to determine what should be monitored and how. HCVN has in the past produced a generic guidance for identification of HCVs. The member continued by saying this has been discussed since 11 years ago i.e how the RSPO is monitoring how its standard is working and asked if this can be a priority topic in the ASC, together with HCVN.

The Secretariat to discuss with HCVN on a standardised way to monitor HCV areas in RSPO members' concessions.

Another member asked what is meant by things moving slower in Africa and what is being done to address it. RS responded that HCVN only receives reports when assessments are done i.e there are plans to conduct NPP and only 1 report was received from Africa in one year's time which may have to do with there being not many plans to conduct NPP, requirements for high forest cover countries and also other matters that are beyond assurance and the work that HCVN does.

In the chat box, a member highlighted that the changes in members' conservation areas are reported in the RSPO Annual Communication of Progress (ACOP). Another member added that besides ACOP, the RSPO Impact Report also includes information on HCV areas.

3.2 Improving Social Auditing in RSPO (ASC-CP Collaboration)

AG shared an action item concerning the ASC from BoG's June 2022 meeting:

 CP Co-Chairs to liaise with ASC Co-Chairs and move the topic of "social auditing concerns" to a more structured discussion under





the ambit of the ASC, which can then come up with a solution and recommendations for BoG's consideration.

AG mentioned a plan to organise an ASC-CP meeting in Oct 2022 to decide the way forward, following up from the previous ASC-CP joint meeting in June 2022.

AG also shared action items from CP's August 2022 meeting:

- The CP has decided that this matter should be headed by the ASC Co-Chairs as issues pertaining to quality of audits should rightfully fall under the ASC's purview.
- The CP Co-Chairs have instructed the Secretariat to share the minutes from the meeting between the CP and ASI on 13 April 2022 with the ASC Co-Chairs. The minutes include relevant action points ASI has proposed to undertake to address the poor quality of social audits.

AG elaborated on the CP-ASI meeting on 13 April 2022:

Discussion points:

- ASI together with the RSPO (in particular the CP or the other Standing Committees) within the fraternity are able to look into methods of improving social auditing processes because of the recent issues that are plaguing the palm oil industry with respect to indicators concerning forced labour.
- Majority of the panel members have totally lost any confidence in CBs' ability to report accurately on the situation with social auditing and this is a very serious situation.
- ASI has seen that compliance assessments, going unannounced or on short notice announcements are much more effective but this needs to be systematically rolled out.

Action points for ASI:

- A short-term implementation to address this issue;
- Funding for courses for the CBs;
- The auditability of the RSPO standards;
- Potential conflicts of interest; and
- Collaboration with the RSPO, its standing committees, the CP and the BoG

Next, AG gave an overview of what the Secretariat has done so far to improve social auditing:

- Guidance Child Rights, Labour Auditing, FPIC (revised)
- Training Social Auditing Training by WIRE, CB Interpretation Forum
- Risk Monitoring Risk entry from Public Domain
- Certification System Improvements in CSD Revision 2020

Finally, AG presented the following proposals for the way forward and asked the ASC for suggestions on what else can be done to improve social auditing.

- Continuous ASC & CP discussion to keep abreast of the latest issues & solutions
- Re-activation of ULULA project
- Follow-up with ASI on the action items
- Feed information to the Technical Committee for "People" in the P&C Review
- Further study on delinking CBs with CHs
- Analysis of the RSPO Metrication Template Report Card for





members' continuous improvement

Pool of Experts

Discussion points

A member requested to pull out action points from the ASC-CP meeting in June 2022 (FM shared the MoM link in the chat box) and commented that the CP's views are concerning and need to be prioritised. The member was not convinced that the ASI's proposal would deal with the problems, both in the medium and short term, and there is no sense of urgency from ASI to address what has become a crisis for RSPO's credibility. The member continued that NGOs have been criticising audit quality for nearly a decade and this is made worse by the CP's loss of trust in the system. The member emphasised the need to consider other ways to make auditors more independent of the companies they are auditing apart from speeding up the action on de-linking and determine what is considered good behaviour for CBs. The member added that some companies had even told communities not to bring up problems with auditors, and then oversaw the meetings so people did not dare speak up.

The Secretariat to immediately start working on the second study on de-linking CBs with certificate holders.

In the chat box, a member asked if RSPO has guidance on auditors' code of conduct. Another member commented that ASI needs to take heed of the CP's urgency and agreed on the suggestion to come up with a code of conduct to ensure absolute impartiality for CBs which ASI then needs to ensure CBs' compliance to it. AG answered that at the moment, RSPO only has requirements under the certification system for CBs to conduct and comply with the system and the development of a code of conduct can be explored in the next revision of the certification system.

The Secretariat to develop a code of conduct for auditors for the next revision of the certification system.

3.3 Progress Update: Human Rights Working Group (HRWG)

PVS shared the activities that are being conducted in the HRWG subgroups:

Gender Subaroup

- Women Safety Project first of such project being done in the palm oil sector, start off with research and data collection, initial focus on Indonesia
- Strategy paper has been drafted
- Work plan milestones and timelines
- ToR for consultant

FPIC Subgroup

- Revised FPIC Guide (2022) delays caused by challenges with consultants, Secretariat intervened and took over some scope. Suggestions from Public Consultation broken down to systematic process flow for FPIC implementation. Consists of two parts; introduction to FPIC and implementation of FPIC (broken into 5 stages). Draft to be presented to HRWG in October 2022.
- Simplified FPIC Approach for ISH field trial is being planned.

Labour Subgroup

Activities for FY 22/23:

- Compilation of labour-related tools used and found useful by member organisations e.g Ulula, being compiled into a matrix and will be available on the website (by end October 2022)
- Guidance on recruitment fees identification and remediation





- Training for companies
 - o Forced Labour Risk Assessment and Behaviour Change
 - Social Dialogue
 - Ensuring Labour Rights and identification of risks for temporary/casual workers
- Guidance, pilot and training on Social Dialogue
 - Development of guidance on social dialogue, including a pilot for companies and training for unions and companies.

WM thanked PVS for his presentation and asked the members to put in their questions or comments in the chat box to be shared with the Human Rights and Social Standard unit after the meeting. WM also asked the members if the meeting can be extended to another 10 minutes and this was agreed.

3.4 Progress Update: Decent Living Wage Task Force (DLW-TF)

LG shared about DLW-TF meeting on 11 May 2022:

- The DLW-TF has provided to the P&C Review team its proposed revisions (wordings in bold) for Indicator 6.2.6 on Decent Living Wage
 - Indicator 6.2.6. A DLW is paid to all workers, regardless of their employment type (e.g., permanent, temporary, seasonal, casual and day workers), for whom the calculation is based on achievable quotas during regular work hours and on the proportion of the daily rate for DLW according to the hours worked.
- The DLW-TF also made a recommendation to the Shared Responsibility Working Group (SRWG) to incorporate Indicator 6.2.6 in Shared Responsibility Requirements the same way as in the P&C

LG added that until the revision is made, the following will be required to meet compliance for Indicator 6.2.6:

- UoC complies with applicable national and local legislations as well as industry standards regarding working hours and overtime regulations.
- National minimum wages shall be paid to all workers. Noting the following:
 - Any bonuses should not be counted as part of the legal minimum wage.
 - As per P&C indicator 6.2.6, those on piece rate/quotas, for whom the calculation is based on achievable quotas during regular work hours and have been shown to work the full regular hours should also be paid the minimum wage.
 - The minimum wage payments follow government stipulations or negotiated Collective Bargaining Agreements (CBAs).
 - Where a work-day is curtailed due to workplace incidents/injuries or other relevant issues as indicated in P&C indicator 6.2.3, a full day compensation should be provided
- Where a minimum wage is stipulated in CBAs, this should be paid





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- When both national minimum wage and wage negotiated in a CBA are available, whichever is higher should be applied.
- All UoC conduct an assessment of the prevailing wages paid and list of all in-kind benefits provided to workers outside of the minimum wage paid.
- Where living wage benchmarks are available, all UoC are encouraged to assess their prevailing wages against it and identify living wage gaps.

Finally, LG shared main discussion points from DLW-TF meeting on 22 August 2022:

- DLW-TF discussed the findings of an internal gap analysis which highlighted challenges faced in implementation of DLW, for example:
 - Gaps in auditors' understanding of DLW, and the interim measures
 - Inability to identify gaps in implementation of DLW on the ground
 - Lack of clarity on time-bound requirement for implementation
 - Lack of understanding on prevailing wage versus benchmarks
 - Concerns about the 3 approaches by members
- A revised strategy was proposed with focus on learning, capacity building and socialisation
- Discussions were held on a proposal to metricate DLW to provide the necessary data towards measuring outcomes and to help design required capacity development activities

Discussion points

A member asked about the audit implications of DLW. LG explained that the research looked at 70 audit reports and looked at how auditors audit indicator 6.2.6. The findings were; some understood DLW, some did not understand the interim measures, some did not know about the GLWC benchmark and some would count things that are not part of the prevailing wages and in-kind benefits. LG admitted the Secretariat should conduct further socialisation to ensure both auditors and members understand prevailing wages and how to do in-kind benefits because this will help with the implementation of DLW in the future. WM asked if LG can share a summary of the findings. LG responded that she will have to check on this.

4.0 For Updates

WM reminded everyone that detailed information in this section had been shared in the pre-read sent prior to the meeting. In the interest of time, WM asked the members to put their questions or comments in the chat box or send it to the Secretariat after the meeting.

4.1 RSPO Assurance Progress Report Q2 2022

No comments received on this topic.

4.2 Updates from the Risk Unit

No comments received on this topic.





4.3	From the Action Tracker No comments received on this topic.	
5.0	Any Other Business	
5.1	Pool of Experts: Expression of Interest (Project Management Team) on Website ZT informed that an expression of interest has been posted on the RSPO RSPO website on 13 September 2022 (link) to seek a project management team (PMT) for the pool of experts (PoE). This was a result of the meeting between the ASC and CP in March 2020. The Secretariat is expecting a proposal by end of October 2022. ZT shared that the scope of work for the PMT are: To develop framework (operational & financial) To create PoE database To develop guidance To manage pilot testing	
	In the chat box, a member asked if the Secretariat can share the link to the call for expression of interest on the website. ZT shared it in the chat box.	
5.2	Any Other Business WM mentioned the upcoming RT 2022 which will be held in Shangri-La Kuala Lumpur from 28 November to 1 December 2022 and proposed for the next ASC meeting to be held physically since most members will be attending the event. WM asked the ASC to pick between two possible dates: 27 November 2022 (Sunday), morning or 1 December 2022 (Thursday), morning. A member informed the group that an NGO caucus and a jurisdictional approach meeting will likely be held on that Sunday so 1 December 2022 is the better option. Everyone agreed to this.	The Secretariat to organise a physical ASC meeting on 1 December 2022 (during RT 2022).
	A member asked to confirm the ASC's decision on 3.2 ASC-CP Collaboration i.e how to address the total failure of the CP's confidence and improvements of audit quality on social aspects. Another member commented that prioritisation is needed and asked if the social NGOs that have more knowledge on the topic can come up with a draft proposal which can be tabled in the next meeting. WM confirmed that the respective member can channel the proposal via WM who will then strategise the resources to take action on it. A member suggested to involve AG in the discussion since he has brilliant insights on the subject.	The Secretariat to work with the ASC's Social NGO constituent on draft proposal for improvement on social auditing.
	End of meeting	
	WM thanked all participants and handed to KS for closure of the meeting. KS for the comprehensive discussion and looked forward to the upcoming in-per	
	The meeting adjourned at 6.10 pm.	