



Browns Plantations Kenya

Summary of Action Plan

Based On Partner Africa Investigation Recommendations



Introduction

This document details Browns Plantations Kenya's action plan in response to the issues highlighted in Partner Africa's investigation into abuse and harassment within our business.

Action plan progress since February 2023

In its investigation report, Partner Africa recognises that Browns Plantations Kenya (formerly James Finlay Kenya, JFK) management has already undertaken significant actions to mitigate risks and made numerous improvements in the time since the BBC documentary was aired, including:

- An extensive review and overhaul of contractor management processes and procedures.
- The strengthening of the Welfare Department through increasing the number of welfare assistants and changing their reporting lines from the unit management to the Welfare Manager.
- Including contracted workers within worker representative structures and wider workplace meetings and communications.

However, to fully address all of the findings highlighted through this assessment, Partner Africa recommends that BPK commit to adopting Human Rights Due Diligence and undertake a significant programme of improvement and capacity-building accordingly. The recommendations below are informed by the insights gained into how BPK currently operates; as well as by Partner Africa's human rights expertise and prior experience.



Guidance on approach

Partner Africa has recommended that Browns Plantations Kenya takes the following approach:

1. **Develop a Roadmap:** Take a strategic approach to improving BPK's management of SGBVH and wider human rights by developing a long-term roadmap for implementation, encompassing three streams of focus:
 - Stream 1. Immediate Priorities - the remediation of harm experienced and prevention of further harm
 - Stream 2: Structural changes to support organisational transformation
 - Stream 3: A Human Rights Due Diligence (HRDD)-systems based approach to preventing, mitigating and addressing human rights risks and impacts
 2. **Engage Experts:** The roadmap should include the engagement of key external expert organisations to advise on development in aspects of the roadmap and actions and support on implementation.
 3. **Take a systemic approach:** The roadmap should take systemic approach, ensuring that culture change and organisational transformation is at the heart of all interventions. Short-term or 'low hanging fruit' recommendations noted in this section should not be focused on to the exclusion of the more difficult and long-term challenges to be addressed.
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Summary of Browns Plantations Kenya Action

Plan:

Introduction

Following guidance from Partner Africa and our partners, three areas of an action plan are outlined below with a prospective timeline and accountable owners. It is recognized that organizational culture change is a journey which ultimately depends upon a sustainable business as a foundation. BPK will identify, consult and work with appropriate experts and in collaboration with partners and others in the delivery and implementation of this action plan. BPK is committed to resourcing this plan effectively with the support of its partners. Both the Browns group and Finlays are fully committed to supporting BPK and Finlays Tea Extracts Kenya (formerly Saosa Extracts) to deliver and implement the action plan. The development and implementation of the action plan will be reliant on partner support to be effective in the long term. BPK will ensure key stakeholders are regularly kept up to date with progress on delivering the plan. An approach to provide independent verification of the implementation of this action plan will be consulted on, agreed and actioned by BPK team by end Q2 2024.

Please note: the action plan and timeline(s) below provide a summary of the detailed action plan being implemented by BPK. Individual actions across streams 2 and 3 may be completed in a different timeframe than strictly indicated.

Summary Action plan		
Stream 1 – Immediate priorities.	Responsible	Timeline
Acknowledge the findings of the independent investigations and outline the action plan within the BPK community. The approach to community and worker engagement will be supported by the expertise and input of appropriate stakeholders	Managing Director (MD) Browns Plantations Kenya (BPK)	End Jan 2024
Develop new framework for remediation, consider applicability to previous cases, enhance communication with employees on all matters pertaining to welfare.	Managing Director BPK	End March 2024

Stream 2 – Organisational transformation.	Responsible	Timeline
Re-structure the welfare department to ensure independence from operations, including regular training and rotation of welfare staff and relocation of welfare offices to unit dispensaries. Head of Welfare to oversee development of welfare strategy, review of associated policies, communication of obligations regarding reporting of cases, incorporate theory of change and regular stress test	Managing Director BPK Head of Welfare	End June 2024



Review of organisational structures and implementation of management training and development objectives	Managing Director BPK HR Director BPK	End June 2024
Review and enforce HR policies pertaining to recruitment, promotion, redundancy, personal development plans, training,	HR Director BPK	End Feb 2024
Review all processes and policies connected with contractor management	General Manager Corporate Affairs BPK	End Feb 2024
Review BPK values to reflect a HRDD approach to Human Rights risk leading to organisational culture change.	MD BPK	End April 2024

Stream 3 – Human Rights Due diligence approach.	Responsible	Timeline
Adopt and integrate a Gender Responsive Human Rights Due Diligence (HRDD) approach to managing Human Rights risks, carrying out a fresh risk assessment, reviewing and updating policies on safeguarding, grievance handling, Gender & Diversity and sexual harassment, updating job descriptions, requisite training and communications	MD BPK, HR Director BPK	End June 2024
Review Grievance Mechanism procedure to ensure it is effective and aligns with UNGP	HR Director BPK	End June 2024
Design & implement programmes focused on Child Sexual Abuse, training awareness and support	Head of Welfare	End Sept 2024
Regular professional development of welfare team to improve analysis of data, best practice in case management,	HR Director BPK Head of Welfare	End June 2024
Ensure any criminal activity brought to BPK's attention is reported to the Kenya Police	GM Corporate Affairs BPK	End Jan 2024
Relocate independent toll-free reporting line, communicate zero tolerance to retaliation to be implemented in consultation with workers	HR Director BPK	End Feb 2024
Awareness campaigns on SGBVH, Child Sexual Abuse, Domestic Abuse to include all community members, and training materials to be reviewed	Head of Welfare	End Sept 2024



Appendix

A. Recommendations for James Finlays Ltd and BPK buyers (Retailers, Packers)

In its investigation report Partner Africa made several recommendations for buyers and customers of Browns Plantations Kenya (formerly James Finlay Kenya). These recommendations indicate how partners can best support BPK to prevent and mitigate the issues in the future. The approach and agreement for taking the recommendations forward is under discussion and will be decided on in due course.

- Commit to a long-term buying relationship with BPK
- Commit to long-term financial resources to fund the interventions developed as a result of these recommendations.
- Provide financial assistance for the cost of certification.
- Provide advisory to BPK on the topic of HRDD, where appropriate.
- Commit to reviewing the effectiveness of your own organisations HRDD and how current processes engage with those in your supply chain to conduct HRDD at a proportional level.
- Work with external expert organisations to address the wider enabling environment and sector specific challenges

B. Recommendations for wider tea sector stakeholders in Kenya

Partner Africa's investigation at Browns Plantations Kenya (formerly James Finlay Kenya) put forward ideas for addressing the issues highlighted in their investigation by the wider tea sector. These points are outlined below. The approach taken to address these points is currently under development.

- Use the findings from this investigation to begin transparent conversations between tea producers on the issues identified.
- Collaborate to develop programmes and interventions targeted at issues such as the deep-seated cultural and social beliefs underlying the high rates of SGBVH in Kenya, and tea plantations.
- Collaborate to develop best practice guidelines for tea producers on how to handle cases of workplace SGBVH in a way that protects the survivor and ensures adherence to Kenya's criminal and employment law.
- Collaborate to develop avenues for survivors to access justice via judicial and non-judicial means.
- Undertake an assessment of the facilities available to SGBVH survivors within Kenya, and their proximity to tea estates, advocate / fund the implementation of new SGBVH crisis centres in key locations.