



Browns Plantations Kenya - Partner Africa Investigation Recommendations – Action Plan



Introduction

This document outlines Browns Plantations Kenya's action plan (Project Kulinda) in response to the issues highlighted in Partner Africa's investigation into abuse and harassment within our business from 2023.

Update on progress – Project Kulinda, 2024

In early 2024, soon after the transition from James Finlay Kenya (JFK) to Browns Plantations Kenya (BPK), a project team was established, and tasked with implementing the action plan (Project Kulinda – a Swahili word meaning “*to safeguard*”).

Delivery of a number of the actions required the engagement of third party expertise. At various stages during the course of the year Action Aid International Kenya (AAIK), Ethical Trade Services Africa Limited, Fairtrade Africa, Jane Nyambura and Adili Advisory Services provided to support in areas of their particular expertise.

Key milestones achieved during 2024 include:

- Dissemination of the Partner Africa report, and action plan, and gathering feedback from employees and the BPK community).
- Training on Human Rights and Environmental Due Diligence (HREDD) for all Management staff (both Senior and Junior).
- Review of all Human Rights related policies by third party expert to align them with HREDD practices.
- Establishment of new independent whistleblowing line selected in consultation with workers.
- Independent monitoring and evaluation of action plan outcomes by Ethical Trade Services Africa (ETSA) in June and December. In 2024. In addition, a customer engaged Assurance Services International (ASI) to conduct an independent review of the implementation of the action plan in June 2024.
- Development of a Human Rights strategy and remediation framework.
- 57 of 87 total actions completed and closed by year end with progress made against remaining actions on track for completion.
- Number of contractors reduced from 287 to 99.

Challenges:

- 30 of the 87 total actions could not be completed by the projected due date. This was primarily due to prioritizing ensuring effective, robust delivery against actions in some cases meaning extending the overall timeline.

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- The whistleblowing line has not worked as well as expected with service reliability issues identified during operation. The supplier has agreed to engage a new service provider, which is expected to be in place by end of Q1 2025.

Much remains to be achieved, but the journey is well under way, and the team at Browns Plantations remain committed to ensuring that a safe and dignified environment exists within the farm.



Action Plan Methodology

Based on Partner Africa's recommendation, Browns Plantations Kenya is using the following methodology to ensure sustainable, long-term impact from the action plan:

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 relies on partner support to be effective in the long term. BPK is ensuring key stakeholders are regularly kept up to date with progress on delivering the plan. Ethical Trade Services Africa (ETSA) were appointed to conduct independent monitoring and evaluation of the action plan. In 2024 two action plan objective and outcome reviews were conducted in June and December 2024. Further monitoring and evaluations of the action plan will be conducted in 2025.

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.

<u>Summary Action plan</u>			
<u>Stream 1 – Immediate priorities.</u>	<u>Responsible</u>	<u>Timeline</u>	<u>Progress highlight</u>
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	Worker & community consultation and feedback on the action plan took place in Q1 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 Ongoing	Third-party expertise provided by a specialist sustainability and human rights consultant brought in to develop remediation framework



<u>Stream 2 – Organisational transformation.</u>	<u>Responsible</u>	<u>Timeline</u>	<u>Progress highlight</u>
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	Welfare team restructure completed. Development of updated strategy in line with HREDD remediation framework underway
Review of organisational structures and implementation of management training and development objectives	Managing Director BPK HR Director BPK	End June 2024	Organisational review and training undertaken. Management objectives being integrated into roles
Review and enforce HR policies pertaining to recruitment, promotion, redundancy, personal development plans, training,	HR Director BPK	End Feb 2024	Documented focus on policy enforcement and training of workforce and management
Review all processes and policies connected with contractor management	General Manager Corporate Affairs BPK	End Feb 2024	Contractor review completed. Contractor numbers reduced from 287 (2023) to 99 (2025)
Review BPK values to reflect a HRDD approach to Human Rights risk leading to organisational culture change.	MD BPK	End April 2024	Completed. Updated values rolled out across BPK

<u>Stream 3 – Human Rights Due diligence approach.</u>	<u>Responsible</u>	<u>Timeline</u>	<u>Progress highlight</u>
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	MD BPK, HR Director BPK	End June 2024	Ongoing work with third party support from a specialist sustainability



on safeguarding, grievance handling, Gender & Diversity and sexual harassment, updating job descriptions, requisite training and communications			and human rights consultant to deliver HRDD remediation framework and policies
Review Grievance Mechanism procedure to ensure it is effective and aligns with UNGP	HR Director BPK	End June 2024	Updated grievance process due to launch in 2025
Design & implement programmes focused on Child Sexual Abuse, training awareness and support	Head of Welfare	End Sept 2024	Started discussions with 3 rd parties to identify third party support to develop child protection programmes, e.g. UNICEF
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	Completed. Ongoing professional development support is in place.
Ensure any criminal activity brought to BPK's attention is reported to the Kenya Police	GM Corporate Affairs BPK	End Jan 2024	Ongoing practice is in place and effective.
Relocate independent toll-free reporting line, communicate zero tolerance to retaliation to be implemented in consultation with workers	HR Director BPK	End Feb 2024	Adili reporting line operational in consultation with workers since July 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	Ongoing awareness raising work continues within local community led by the welfare team began prior to 2023 and is ongoing

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Appendix

A. Partner Africa's 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. Partner Africa's 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.