Claire Lynch CONSULTING | Partner Africa

PREPARED FOR etp



Protecting People, Transforming Tea:

2024

A Private Sector Approach for Addressing Sexual Exploitation, Abuse and Harassment (SEAH)

ABOUT CLAIRE LYNCH CONSULTING

Established in 2020 and headquartered in London (UK), CLC is a small, multi-disciplinary global team of Responsible Business experts providing advisory services in social sustainability and business & human rights.

We specialise in communicating complex 'human rights' concepts clearly, no matter the objective or the audience. Our approach is interdisciplinary. We combine skills and experience in law, economics, HRDD, sourcing and procurement, gender, social research, environmental science and behavioural science. We collaborate with writers and multimedia artists, as well as experts in education, design, communications and ICT to achieve impactful, interdisciplinary social sustainability solutions for our clients. We work predominantly in fashion, food & beverage and FMCG and our current focus is on supporting businesses to develop and embed risk-based (Gender-Responsive) Human Rights Due Diligence (GR-HRDD) in supply chains.

ABOUT PARTNER AFRICA

Partner Africa is a registered NGO with a mission to improve the working conditions and livelihoods of vulnerable workers and producers in Africa, addressing all forms of exploitation.

Partner Africa's work is guided by the United Nations Guiding Principles on Business and Human Rights, and through their auditing and advisory services, they identify and address the salient human rights risks in African supply chains. By doing this, they aim to improve their client's systems and practices so that they can achieve their responsible business goals.

They work in partnership with global brands, ethical trading bodies, industry associations, government agencies and donors to deliver on their mission and create sustainable change for vulnerable workers and communities in Africa.

ABOUT ETP AND THIS PROJECT

The Ethical Tea Partnership (ETP) is an international membership organisation that aims to catalyse long-term, systemic change, to benefit everybody who works in tea – especially people in tea-producing regions. ETP leads the industry in addressing critical challenges in tea, including poverty, human rights protection, gender-based violence, deforestation, and access to essential services. These are supply chain issues, not value chain ones. By acting collectively, ETP and its membership are stronger and more effective than any individual action.

In many tea-producing regions, workers, especially women, face pervasive issues of sexual exploitation and harassment, often exacerbated by economic vulnerability and lack of protective mechanisms. ETP has commissioned this research into private sector learnings on addressing sexual exploitation, abuse, and harassment (SEAH) in tea. The study aims to explore producer companies' experiences in addressing SEAH issues in the workplace, identify unintended contributing factors, and provide actionable insights for producers, packers, and retailers to collaborate and prevent future incidents.

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Executive Summary

Introduction

In recent years, the global tea sector has been confronted with several high-profile cases of sexual exploitation, abuse and harassment (SEAH). Most recently (February 2023) the BBC aired a documentary entitled *Sex for Work: the True Cost of Our Tea*[1], in which a team of investigative journalists in Kenya uncovered "widespread sexual abuse on farms which supply some of the UK's most popular tea brands".

While the alarming exposé sent shockwaves through the industry – and further afield – this was not the first time the problem of SEAH had been brought to the attention of the tea industry; it was the latest in a line of investigations and allegations stretching back over almost two decades.

Observing the persistence of systemic SEAH despite sustained efforts to address it, ETP commissioned a study to determine the lessons learned from the experiences of those companies at the centre of some of the most recent revelations.

The objective of the study is to foster **better understanding** of effective ways to respond to the direct and root causes and contributing factors of SEAH; and help producers, packers and retailers learn how they can **act and collaborate** to prevent further harm.

The study, conducted between May and December 2024 by Claire Lynch Consulting and Partner Africa, centred on extensive dialogue among three participating case study companies - Browns Plantations Kenya; Lipton Teas & Infusions; and Lujeri; complemented by a document and data review; discussions with stakeholders from across the tea industry; and targeted desk research.

> ***"The objective of the study is to foster better understanding of effective ways to respond to the direct and root causes and contributing factors of SEAH"***

Understanding the challenge

Facing their respective "crisis moments," all three participating companies prioritised understanding the challenge by engaging independent experts to assess the common causes on tea estates and other contributing factors to SEAH. These assessments revealed striking similarities across the cases and aligned with existing research on the topic. The main drivers of systemic and widespread SEAH on tea estates emerged at three levels:

Individual behaviour (abuse of power); occurring in

a working and living environment that enables it to persist by failing to hold those individuals to account and failing to protect others; within

a supply chain and broader socio-cultural context that reproduces gender and other inequalities, reinforcing the power held by some and exacerbating the vulnerability experienced by others.

(See full report for further details)

A complex issue, with causes and influences at the individual, organisational, and societal level; combatting the problem in its entirety is beyond the sphere of influence of any one organisation. This may help to explain why business' previous efforts to combat SEAH and support gender equality more broadly – with interventions focused on some but not all of the identified causes - have not been as successful in stamping out SEAH on tea estates as hoped. **A systemic issue, it will require systemic interventions.**

Good practices from the industry experience

The three participating case study companies are easily compared, having shared the common experience of being publicly exposed by revelations of serious SEAH in their workplace, leading to significant external scrutiny of how they responded. Many of the lessons learned from the three participating case study companies' approaches should, therefore, be seen in the light of the "**crisis management**" moment in which they found themselves. **The following list captures the main critical success factors identified during the "crisis management" moment:**

- **Visible leadership commitment with a robust governance model** to drive momentum and ensure accountability.
- Immediate focus on **primary supports to victim-survivors**, such as provision of medical, psychosocial and legal support.
- **Safeguarding actions** to protect the whole workforce and minimise risk of re-occurrence.
- Expeditious (but fair) **punitive actions** against perpetrators.
- An **in-depth assessment** conducted by external experts, to determine the full extent of the issue, its causes, and its impact on workers and others.
- Effective and appropriate **remediation**; serving to support and restore any victim-survivor(s) to their rightful status, while helping restore trust and prevent future harm.
- A **plan of actions** to address the findings of the assessment.
- Robust and regular **monitoring to evaluate the impact** of actions.
- Continuous and regular **engagement with victim-survivors** and other rightsholders throughout; to ensure the opinions of those with lived experience shape decisions.
- Transparent and regular **communication with external stakeholders**, for example buyers, advisors, government and authorities, trade unions, civil society organisations.

(See full report for key activities under each critical success factor; and for a list of promising interventions to implement in an action plan to address SEAH).

While crisis management is necessary in certain situations, it is inherently reactive. A more holistic, proactive human rights risk management system would better position companies to prevent such issues and respond appropriately when they occur. This can be achieved through human rights due diligence (HRDD). HRDD is an ongoing, cyclical risk management system for businesses to:

- Commit and embed a governance structure for managing human rights risks;
- Identify any human rights risks or impacts connected to their operations or activities (including throughout the supply chain)
- Prioritise the most urgent issues
- Respond by taking action to prevent or mitigate those most urgent risks, and remediate any impacts
- Monitor and measure progress; and
- Report (communicate) about what is being done.

Gender-responsive human rights due diligence (GR-HRDD) is an approach that recognises that human rights violations in the workplace are not gender-neutral; and utilises a gender lens throughout the stages of the HRDD cycle.

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Reflections and lessons learned

The following **ten key lessons** are derived from the perspectives of the participating companies, their actions during the crisis moment and beyond, and further engagements with stakeholders and experts on the issue of SEAH.

1. **Traditional social compliance methods are not enough. Accept the importance of pro-active risk assessment and Human Rights Due Diligence (HRDD) to overcome the limitations of those methods (policies and procedures; social audits and external certifications).**
2. **A survivor-centric approach is important.** Focus first on prevention of (further) harm to victim-survivors and others. Ensure confidentiality is maintained, and individuals' dignity, agency, needs and preferences are respected.
3. Central to any response should be **actions addressing power imbalances and challenging hierarchical (formal and informal) power structures** that influence the workforce.
4. **Long-term commitment to organisational transformation is required.** Change takes time. The timeframe for implementation will likely be a minimum of 3-5 years.
5. **Effective ongoing worker communication & engagement – engendering a relationship of trust – is a critical success factor.**
6. There is a need to continually **monitor progress and measure impact** – tracking agreed KPIs using quantitative and qualitative data – to understand effectiveness of the business' efforts and enable evidence-based decisions.
7. The **power and influence of buyers** has both positive and negative potential. Buyers (packers and retailers) must reflect on how to best use their leverage responsibly.
8. **Commercial decisions (by producers and by buyers) contribute to creating the environment in which systemic SEAH persists.** Downward pressure on prices, forcing a focus on cost minimisation across the whole supply chain, directly contributes to workers' multi-faceted vulnerability.
9. **The responsibility for addressing SEAH in the tea supply chain is shared with other (private sector) actors.**
10. **Recognising the limits of internal knowledge and expertise; the industry needs to seek support, expertise and guidance; and must resource this need accordingly.**

Transforming Industry Practice: Key Areas for Change

This study indicates that private sector actors tend to prioritise short-term solutions over addressing fundamental systemic changes, primarily focusing on implementing workplace rules and management systems to mitigate SEAH risks. While these interventions help address power abuse and strengthen worker protections, there remains a significant gap in tackling deeper root causes such as organisational culture, social norms, and economic inequality. The study identifies five key areas for improvement in the tea sector:

1. encompassing better understanding of the complexity of SEAH;
2. understanding remediation;
3. upskilling in social impact measurement;
4. addressing SEAH as a behavioural issue; and
5. embracing organisational culture transformation.

Recommendations and conclusion

The tea industry must confront the critical reality that SEAH is a significant human rights risk to its sustainability. Acknowledging its scale and impact is essential for meaningful change, as resistance and skepticism from some stakeholders hinder long-term solutions. Without industry-wide recognition, efforts to address SEAH will remain inadequate. The following high-level recommendations are directed at producers, packers, and retailers, but may also be relevant for other supply chain actors.

1. **Ensure industry-wide adoption of gender-responsive HRDD, combatting over-reliance on audits and certifications.**
2. **Combat unequal power dynamics and ensure power / leverage is used responsibly**
3. **Build trust; listen; and be transparent**
4. **Adopt a systemic approach to understanding and addressing SEAH.**
5. **Increase knowledge and understanding of workplace SEAH across the industry**
6. **Understand the role of organisational culture. Seek to embed gender-equal organisational culture, and undertake long-term cultural transformation (where required)**
7. **Commit to undertaking a proportionate share of the responsibility to address systemic SEAH**
8. **Seek to understand remediation & deliver sufficient access to remedy**
9. **Improve knowledge, capacity and skills for measuring social impact and using "Theory of Change"**
10. **Recognise the synergy to be gained in collaborating with other stakeholders (competitors and peers as well as those adjacent to the SC).**

The exposure of systemic SEAH through high-profile cases in recent years has brought gender equality into sharp focus as a salient human rights issue for the industry.

During the past five years (2020-2024) the tea industry has undergone an evolution in its approach to addressing SEAH, with the three case study companies, and those around them, demonstrating notable progress in moving from compliance-based approaches toward more comprehensive responses. The path forward requires multi-level action addressing problematic individual behaviours, organisational cultures, and societal norms, with industry stakeholders working collaboratively to pool resources and expertise while confronting commercial realities that contribute to worker vulnerability.

This study concludes with a call to industry leaders to embrace transformational change through sustained investment in gender-responsive human rights due diligence and authentic collaboration, moving beyond surface-level interventions to create lasting positive change in the tea supply chain.

> ***"The path forward requires multi-level action addressing problematic individual behaviours, organisational cultures, and societal norms"***

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Introduction

Project Background & Objectives

In recent years, the global tea sector has been confronted with several high-profile cases of sexual exploitation, abuse and harassment (SEAH). Most recently (February 2023) the BBC aired a documentary entitled *Sex for Work: the True Cost of Our Tea*[2], in which a team of investigative journalists in Kenya uncovered what they described as "widespread sexual abuse on farms which supply some of the UK's most popular tea brands". While the alarming exposé sent shockwaves through the industry – and further afield – this was not the first time the problem of SEAH had been brought to the attention of the tea industry. It followed in the wake of two court cases in 2020-2021 alleging systemic sexual abuse against workers at estates in Malawi. These cases had been the latest in a line of investigations and allegations – stretching back over almost two decades - that together painted a bleak picture of widespread SEAH happening across various tea producing origins, from Africa to India.

It became undeniable that the problem of systemic SEAH persisted, despite sustained efforts by some in the industry to address it and make tea estates safer places for women to live and work. Observing this, the Ethical Tea Partnership (ETP) commissioned this study to analyse the experiences of those companies that have been at the centre of some of those recent revelations, to understand how they responded in the aftermath of the revelations; why their previous efforts to support gender equality and combat SEAH did not succeed; and what lessons can be learned for how private sector actors across the supply chain – individually and together – can do things differently, to better support women tea workers and finally effectively address this problem once-and-for-all. Overall, the objective of the study is to foster **better understanding** of effective ways to respond to the direct and root causes, and contributing factors, of SEAH; and help producers, packers and retailers learn how they can **act and collaborate** to prevent further harm.

This report presents the key findings; lessons learned; and recommendations that arose out of the study.

Project Methodology & Approach

At the core of the methodology was a programme of participatory engagement for representatives from three tea producing companies that took part in the research as case studies. The priority was to engage those companies in open, constructive, group dialogue to hear - directly from them - their reflections about the approaches they have taken to combatting SEAH; to foster peer-learning and knowledge-sharing among them; and to initiate some group discussion and reflections on the potential for collaboration in this common challenge.

Implemented over three project phases from May – December 2024, the research and analysis was further enhanced with:

- a comprehensive documentation and data review of files submitted from all three companies; and
- a series of discussions with informed external stakeholders and subject-matter experts; and
- targeted desk research on key topics.

Participating Case Study Companies

This project would not have been possible without the extensive commitment of time, energy, transparency and honest insights shared by representatives from the three participating case study companies; Browns Plantations Kenya; LIPTON Teas & Infusions; and Lujeri Tea Estates Limited. This group first met in May 2024 - kickstarting the project with the co-creation of a *Group Charter for Collaboration* (*see image below*) - and came together again periodically to discuss, update and validate the research findings until December 2024. Our sincere thanks to Simeon Hutchinson (Browns), Janet Ruto (Browns), Gareth Mead (LIPTON), Sylvia ten-Den (LIPTON), Grant Bramsen (Lujeri), and Mirriam Luhanga (Lujeri).

This report is shaped most significantly – although not exclusively - by the research and observations on those three companies. The three are easily compared; having shared the experience of being exposed by revelations of serious SEAH affecting workers (and others) in their own operations. While the context and circumstances of the cases differed, the common ground for all three was:

- they had each already been aware of SEAH risks; were implementing a gender equality / women's empowerment programme of activity internally and believed the risk to be effectively mitigated (some were even profiled as leaders in this space);
- the violations that were exposed involved SEAH between employees in the working environment; and
- the abuse was revealed in public arenas by third parties, leading to significant external scrutiny (from media, buyers and other stakeholders) of how the businesses responded, protected victim-survivors, and addressed the problem. This project examined their responses to that exposure.

Many of the lessons learned from the three participating case study companies' approaches should therefore be seen within the light of the "crisis management" moments in which they found themselves.

Moreover, it must be noted that given the short timeframe between the initial exposure and the initiation of this study (a little over a year for two of the three case studies), it is not yet feasible to evaluate the extent of the impacts achieved by their interventions or clarify the deeper changes made in the lives of vulnerable women and men working in the tea estates.

Out of respect for company and individual privacy, the quotes, reflections and findings presented throughout this report are not attributed to identifiable organisations or individuals.



Group Charter for Collaboration

With respect to the ETP initiative to facilitate and share private sector learning on gender in tea;

We, the representatives of participating organisations, agree to collaborate and co-create in a manner that maintains and upholds the following principles:

- **We remain open, honest, transparent and non-judgemental. We trust the process. We trust the people.**
- **We encourage the raising of concerns, and are each willing to raise concerns ourselves**
- **We respect each other's contributions and confidentiality**
- **We respect each other's time, and we act accordingly**
- **We protect anonymity for all**
- **We are forward-looking and solution-oriented**
- **Respecting the rights of survivors and other rightsholders is the driver for what we do together**

Acknowledgements

As well as the three participating case study companies, the research team also spoke at length with the ETP executive team and Global Tea Coalition members; a selection of ETP members; other tea producers; representatives from industry bodies and multi-stakeholder initiatives; as well as select tea packers and retailers. Each of their inputs has been reflected in the findings, lessons and recommendations. Many thanks – on behalf of the research team and ETP - to every stakeholder who took the time to contribute. It is the sincere intention of the authors that this report serve as a trigger for further discussions in the same vein.

Project limitations

- The scope of the study did not include a validation or verification of the interventions undertaken by the participating companies, nor did it involve direct engagement with rightsholders or extensive cross-referencing of outcomes.
- The scope of the study did not include comprehensive desk research; reference to external sources is therefore limited.
- As the study focuses on SEAH within large-scale tea estates, the research findings do not reflect learnings about SEAH on smallholder farms, nor does it interrogate the pricing dynamics of the tea producing supply chain.
- The limited geographical spread of the participating case study companies – one in Malawi and two in Kenya – means the lessons derive predominantly from an eastern/ southern African context and may not capture all challenges and potential interventions from the wider global tea sector.
- The team encountered some challenges with limitations in the availability of documents and data. While the participating case study companies were generally very cooperative and provided valuable insights, some requested materials were unavailable or incomplete due to timing, confidentiality considerations or internal resource constraints. This affected the breadth and depth of the analysis.

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CHAPTER 1:

Understanding The Challenge

> *"Sexual exploitation, abuse, and harassment (SEAH) has been a longstanding issue in the tea sector"*

What is SEAH?

Sexual exploitation, abuse, and harassment (SEAH) are three different but interconnected forms of gender-based violence (GBV) that occur along a continuum of sexual violence.

Each term has distinct characteristics:

Sexual Harassment is any unwelcome sexual or sexually suggestive conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This can include verbal, non-verbal, or physical conduct. It typically involves a pattern of conduct but can also occur through a single incident [3].

Examples include: Gestures, actions, comments, jokes, display of materials, or sexuality or gender-based slurs.

Sexual Exploitation is the actual or attempted abuse of a position of vulnerability, power differential, or trust for sexual purposes. This includes profiting monetarily, socially, or politically from the sexual exploitation of another person. In workplace contexts, this often manifests as making sexual activity a condition for employment, promotion, or other work-related benefits[4].

Examples include: Human trafficking, transactional sex (or Quid Pro Quo sexual violence).

Sexual Abuse is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This includes but is not limited to rape, attempted rape, and sexual assault[5].

Examples include: Rape, sexual assault, any sexual activity with a child under the legal age of consent.

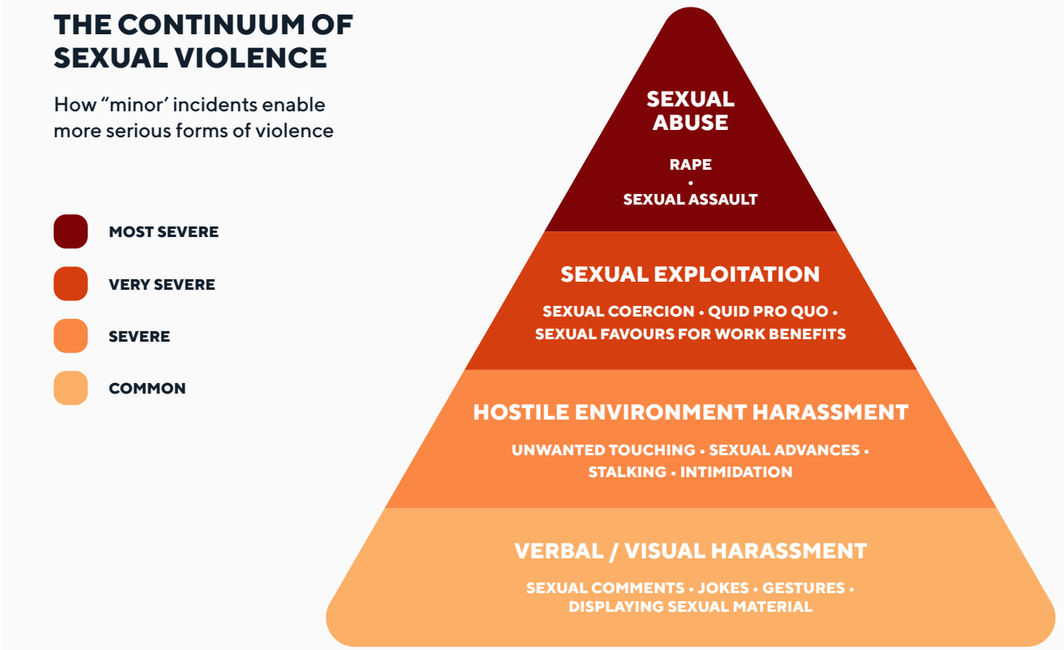


Figure 1. Continuum of Sexual Violence

NOTE: All forms of sexual violence are serious and warrant attention. This pyramid shows how tolerating "minor" incidents creates an environment that enables more severe forms of violence.

The **Continuum of Sexual Violence pyramid** (above) illustrates how the different forms of sexual violence are interconnected.

- At the base of the pyramid are common forms of verbal and visual sexual harassment, such as comments, jokes, and the display of inappropriate material. These behaviours, while harmful in themselves, often go unchallenged in society because they are normalised or dismissed as "just joking."
- The next level shows hostile environment harassment, including unwanted touching, sexual advances, and intimidation - behaviours that create an atmosphere of disrespect and fear.
- Moving up, sexual exploitation involves the abuse of power for sexual purposes, particularly quid pro quo situations where work benefits are made conditional on sexual favours.
- At the apex are the most severe forms of sexual abuse, including sexual assault and rape.

The pyramid's shape is significant: it shows how tolerating the more prevalent behaviours at the bottom creates conditions that enable and normalise the more severe, less frequent, violations at the top.

While research indicates perpetrators of all these forms of sexual violence are predominantly male[6], a perpetrator can be of any gender; while the person(s) being targeted can also be of any gender. Additionally, these forms of sexual violence can occur in any setting – between strangers, or between people known to each other; within families and households; in public and civic spaces; and in the world of work[7]. They may or may not accompany other forms of gender-based violence.

Our focus for this study is on how SEAH manifests in the world of work.

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Why does SEAH occur?

Sexual violence, in all its forms, is fundamentally an **expression of power and control** rather than sexual attraction or desire[8]. Research consistently shows that perpetrators use sexual violence as a tool to exert dominance, maintain control, and reinforce existing power hierarchies.

(For more, see How can we understand power & vulnerability on tea estates?, page 17)

In the workplace, SEAH develops from isolated incidents into a systemic problem if / when the organisation's culture and practices enable and perpetuate it.

(For more, see Understanding organisational culture change, page 37)

Where systemic SEAH persists, even despite efforts to combat it, it is a **complex behavioural issue** reflecting calculated behaviours by individuals and groups, that are informed by those organisational culture and practices.

(For more, see Understanding SEAH in the workplace as a behavioural issue, page 36)

What is the impact of systemic SEAH in the world of work?

INDIVIDUAL IMPACT

Victim-survivors* face severe short and long-term consequences - physical impacts (injuries, STIs, pregnancy), psychological effects (PTSD, anxiety, depression, trust issues, difficulties maintaining relationships), and career disruptions leading to wage loss and limited progression. Some also experience social isolation, and fear of stigma often prevents disclosure.

FAMILY IMPACT

The ripple effect means the impacts extend to families too, with children experiencing developmental and behavioural issues, while partners face relationship strain and secondary trauma. Reduced income impacts children's educational opportunities and overall quality of life.

COMMUNITY IMPACT

Systemic SEAH perpetuates cycles of poverty and inequality, undermines the social fabric of communities, and hampers efforts to promote gender equality and women's empowerment; creating a "culture of violence" that normalises harmful gender norms and reduces civic engagement.

BUSINESS IMPACT

Organisations face productivity losses through low morale, absenteeism, and turnover; legal expenses; reputational damage; loss of talent and risks to business continuity. The cost to the global economy of workplace harassment is estimated at between 2% and 3.7% of GDP[9].

**The term "victim-survivor" refers to anyone who has experienced some form of sexual violence. Combining the two words is intended to acknowledge the gravity of the harm done and respect those who have lost their lives to SEAH, while empowering and recognising the agency of the individuals.*

What is the background of SEAH in the tea industry?

While violence against women and girls (VAWG) including SEAH is a global phenomenon[10], the characteristics of the tea supply chain combine to mean the industry is a space of heightened risk for women and girls, particularly those working and living towards the upstream agricultural end of the chain.

Sexual exploitation, abuse, and harassment (SEAH) has been a longstanding issue in the tea sector, with reports dating back to 2008 highlighting persistent sexual harassment of women workers on tea estates[11]. Women, who make up most of the workforce[12] in low-paid, seasonal jobs, commonly face exploitation by male supervisors or managers.

Tea plantations are typically located in rural areas with limited access to essential services like schools, hospitals, or law enforcement[13]. Unemployment, poverty, and weakened social structures contribute to normalising gender-based violence and harassment (GBVH)[14]. Despite international efforts, such as the 2019 ILO Convention C190, enforcement of laws protecting women remains weak, and harmful gender norms persist.

The tea plantation model, a remnant of colonial-era structures[15], further exacerbates the problem. Inherited hierarchical systems and male-dominated management endure, maintaining environments where women fear retaliation, job loss, or stigma if they report abuse. In addition, the integration of living and social spaces within the plantation boundaries creates a "closed community" dynamic within which reporting grievances carries enhanced social ramifications; while it also places workers and their households in a position of "multiple dependency" on their employer[16]. These systemic issues are not unique to Africa; similar challenges are seen on large-scale estates in tea-producing regions like Sri Lanka[17] and India[18].

Tackling these systemic issues proactively is not only vital for tea workers' rights, but also proves more cost-effective and sustainable for business continuity than inaction.

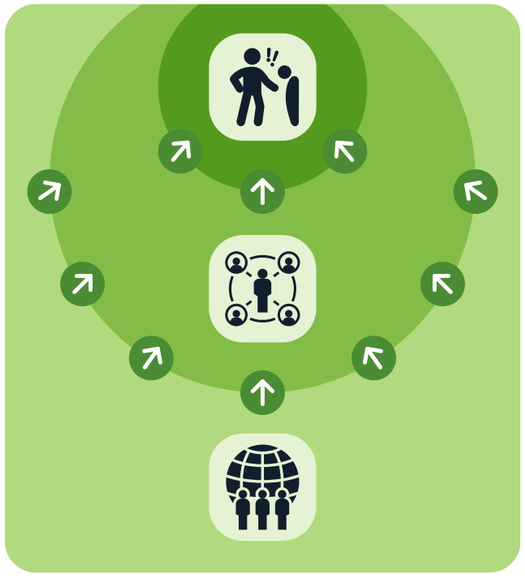
Recent years have seen increased awareness and initiatives aimed at addressing SEAH and improving conditions for women tea workers, including ETP's own strategic focus on fostering empowered, safe communities and equal opportunities through its "Equality" workstream[19].

What are the causes and contributing factors driving SEAH on tea estates?

Facing their respective "crisis moments", all three participating case study companies sought to investigate and understand the underlying direct and root causes, as well as other contributing factors, that were driving the persistence of SEAH. As a core element of their response strategy, each company engaged **independent experts to conduct thorough assessments**.

Although the findings were not uniform across the three cases, there were striking similarities in the direct and root causes and contributing factors identified through those assessments, as well as by other stakeholders and in the existing research on the topic. The predominant **causes** of systemic and widespread SEAH within tea estates emerge at three levels:

- Individual behaviour (abuse of power); occurring in
- a working and living environment that enables it to persist by protecting, or failing to hold to account, those individuals;
- within a supply chain and broader socio-cultural context that reproduces gender inequalities, while reinforcing the power held by some and exacerbating the vulnerability experienced by others.



The most common causes and contributing factors that have been identified at these three levels are:

[1] Abuse of power by individuals, where unequal power dynamics exist

Abuse of power by individuals in the context of unequal power dynamics is consistently identified as the key driver of SEAH. Hierarchical management systems concentrate excessive authority in certain roles, particularly at the middle-management level (e.g. estate or field manager or supervisor roles), without adequate checks and balances. This concentration of power allows some individuals to manipulate decisions about, for example, work allocation, promotions, and disciplinary actions without following due process.

One of the assessments also considered abuse of **informally held power within social groupings** on tea estates and in villages. In some cases, undue influence over formal business processes is held by those who hold informal influence; such as those who (are perceived to) have a lot of experience in the industry; those with "higher" social status due to cultural or tribal structures; those who are older in a tradition of "respecting the elders"; or those workers' representatives who are elected based on popularity rather than merit.

Unequal power dynamics are further gendered by the dominance of men in positions of authority. Across the tea sector, women are in the minority in management positions and union leadership; and almost entirely absent from company senior leadership (except for the notable exception of one of the participating case study companies).

> ***"Hierarchical management systems concentrate excessive authority"***

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[2] The policies and procedures intended to govern behaviours and protect people at work are either inadequate or are inconsistently implemented

Independent assessments revealed **gaps between the company policies and procedures on SEAH, and their practical implementation**. Policy communication, monitoring, and accountability systems are not always effective and appropriate to gender-sensitive issues, limiting their impact.

Inconsistencies in the **processes for recruitment, work allocation, and promotions** create risks by allowing personal biases or power imbalances to influence decisions. Health and safety measures and contractor management systems sometimes lacked sufficient safeguards to prevent SEAH. Training programs varied in quality and effectiveness, with gaps in equipping staff and managers to address SEAH.

While companies invested in gender equality initiatives like childcare support and leadership training, stronger implementation and monitoring are needed to ensure lasting impact.

[3] There is excessive concentration of authority in certain management roles without sufficient checks and balances, and little or no accountability (creating a perception of tolerance)

The limits to accountability for SEAH and other abuses of power manifest in several interconnected ways within the organisational structures. Primarily, a (real or perceived) lack of consequences for perpetrators of SEAH – compounded by difficulties for management in conducting disciplinaries or dismissing perpetrators in the absence of evidence or criminal conviction – contribute to an environment in which SEAH can persist unchecked. This problem is exacerbated by insufficient oversight from senior management. Traditionally, tea plantations are organised around concentrated authority in specific middle management roles. This enables power imbalances and fosters a perception of tolerance for abuses, as these roles operate with minimal scrutiny or consequences.

While it cannot be stated for certain, the lack of accountability may also be connected to gender inequalities in management positions (despite significant progress in this regard for the three case study companies in recent years). This – along with predominant social and cultural norms – collectively fostered an internal organisational culture that, while not condoning SEAH, tacitly accepted SEAH behaviours, leading to what was described at one of the case study companies as a "culture of silence." In this environment, victims and witnesses feel discouraged from speaking out. This pervasive lack of accountability at multiple levels of the organisations created a self-reinforcing cycle where SEAH issues remained unaddressed and normalised within the workplace culture.

[4] Grievance mechanisms and grievance handling procedures are ineffective or unequipped to deal with cases of this sensitive nature. (SEAH is not the same as standard workplace grievances)

Despite the presence of formal reporting systems and operational-level grievance mechanisms, they are under-utilised, and workers lack confidence in these processes. Workers do not trust the **confidentiality** promised and express fear of **retaliation** if they were to report incidents of SEAH, particularly when the alleged perpetrators held positions of power within the organisation. In some cases, the complexity, opacity, or confusing proliferation of reporting processes further discourage their use. This fear is compounded by experiences or perceptions of **inadequate responses** to complaints, leading to a widespread belief that reporting would not lead to meaningful action, especially if the complainant is unable to provide tangible evidence. Confidentiality and non-retaliation policies exist but are frequently mistrusted by workers. Investigation procedures for SEAH complaints are often inconsistently applied.

Moreover, grievance handling procedures are in some cases unable to address the specificity of SEAH grievances which require unique handling as they involve sensitive power dynamics. In these instances, the procedures risk re-traumatising or further harming victim-survivors by inviting social stigma or retaliation.

> ***"Workers do not trust the confidentiality promised."***

[5] Workers' voices are not adequately heard by management through representation structures

Ineffective worker representation structures are a common contributor to SEAH. While worker committees exist, including some focusing on women's welfare, representatives often lack the skills or independence to advocate effectively or address violations. In some cases, these structures are undermined by management influence or internal hierarchies. In one case, a committee's role in grievance resolution processes has failed to protect the confidentiality and privacy intended for SEAH cases, further eroding trust. Weak representation leaves workers without a collective voice to address concerns or push for systemic changes in enhancing workers' rights and two-way dialogue, perpetuating a culture of silence and disempowerment.

[6] Working environments are characterised by fear and mistrust

While not all assessments focussed on power as a lens to understand the contributing factors to SEAH, some identified fear and mistrust as characterising the working environment, as well as the relations between management and workers which discourages reporting issues related to SEAH.

This environment often stems from a power imbalance, lack of transparency and mechanisms that would give voice to workers to effectively raise concerns. Yet, in the crisis management moment, all three participating companies recognised the need for – and challenge of – building or re-building the trust of their workforces as part of their approach to address SEAH.

[7] The business leadership is not sufficiently focused on driving a culture of equality and respect for human rights

One assessment identified the absence of a comprehensive human rights due diligence system, including senior management accountability frameworks, as a key challenge to systemically address SEAH. Without clear leadership and responsibility for respecting human rights, such issues remain inadequately addressed and persist within the organisation. This was compounded by a lack of strong leadership from senior management to promote a culture of gender equality and respect for women. Instead, it seems that the organisation's performance-driven management approach inadvertently prioritised reducing incident reports over encouraging open and transparent reporting of issues, further undermining efforts to report and address SEAH.

[8] Economic vulnerability and precarious employment are enabling SEAH

Poverty and lack of alternative options for employment is one of the main root causes to SEAH. Even the most robust management system shows cracks in a context of intense poverty and urgency for employment. While not a key focus of assessments, economic vulnerability emerged strongly in discussions among the participating case study companies and with other stakeholders.

In one case, where workers had been relying on loan sharks due to low wages and the threat to their job from mechanisation, the vulnerability of workers to exploitation is compounded. In the absence of alternatives, some may be subject to quid pro quo sexual violence for better work conditions, promotions, or job security. Women are especially vulnerable, as they are often in low-wage, seasonal, and precarious jobs, particularly through contractors, which limits their ability to report abuse. These workers are often outside the scope of labour protections, further enabling abuse. This lack of oversight creates an environment where exploitation can thrive.

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[9] Broader supply chain and context-specific dynamics contribute to causing SEAH

The economic situation of tea producers is also a contributing factor to the persistence of SEAH. Although this was not explicitly mentioned by the participating case study companies as a contributing factor to SEAH, many mentioned that purchasing prices sometimes undercut the cost of production. This, along with other factors, undermines the capacity of producers to address the root causes of SEAH, which often requires intensive investment and resources.

State services for supporting victim-survivors of SEAH or prosecuting perpetrators are also often lacking in tea producing countries. For example, it was noted that rural police stations are notoriously ill-equipped to deal with reports of SEAH and are more likely to stigmatise victim-survivors than take cases seriously. Often police officers are male and have had not training on how to handle reports of SEAH in working environments or in communities; while many stakeholders explained that judicial processes are ineffective in providing access to justice.

[10] Societal inequalities and harmful gendered social norms perpetuate the vulnerability of women and girls on and around tea estates

The broader cultural and societal context within which these companies operate is also a significant contributing factor to the persistence of widespread SEAH in the workplace. In some communities, social norms dictate that women (and girls) are seen as more suited for low-skilled seasonal work, limiting their opportunities for job stability or for investment in their skill development. Discrimination based on other traits like race; ethnicity or tribal affiliations; class; immigration status; or being a religious or other minority can further marginalise and disempower vulnerable rural women. These stereotypes deepen power imbalances and make women more vulnerable to SEAH. Furthermore, in some communities violence against women and girls – including SEAH – is normalised.

> Entrenched social norms, beliefs and behaviours influence the mindset and behaviour of individuals not only in their personal lives, but also when they come to work. As a result, even in workplaces with strong management systems and cultures of equality, these engrained attitudes persist, limiting progress and enabling exploitation to continue.

Clearly a complex issue, with causes and influences at the individual, organisational, and societal levels; combatting the problem in its entirety is beyond the sphere of influence of any one organisation.

This may help to explain why business' previous efforts to combat SEAH and support gender equality more broadly – with interventions focused on isolated aspects such as individual behaviours or workplace policies, but not on all the identified causes – have not been as successful in stamping out SEAH as hoped.

A systemic issue, it requires systemic interventions.

Addressing SEAH as a systemic issue requires a comprehensive, multi-level response involving interventions targeting the individual, organisational, and societal causes and contributing factors. This will necessitate collaboration between a range of stakeholders – working independently and collectively – to create lasting change.



How can we understand power & vulnerability on tea estates?

SEAH occurs most frequently in contexts characterised by power differentials – **where one party holds power, while the other is in a position of relative vulnerability**.

For the purposes of this report, **power** simply means "the ability to control people and events."[20] Power can be held formally or informally. In the workplace, formal power may be derived from official structures such as hierarchical management/supervisory positions, decision-making authority, policy-making capabilities, or control of administration or resources; while informal power may be exercised through social capital and networks, gender-based privileges, cultural or linguistic advantages, physical strength, gatekeeping of information, cultural norms, unofficial alliances, or personal relationships. Both formal and informal power can be used to influence people, and control or manipulate assets, resources and opportunities.

In contrast, **vulnerability** refers to those indicators – beyond the control of an individual – that increase their exposure to being exploited or taken advantage of, and which may limit their capacity to defend themselves against abuse of power by others. Vulnerabilities may be inherent (such as age, language barriers, family responsibilities); derived from social or structural inequalities (such as gender, social status, immigration status or limited education); or reflect the working environment or terms of employment (such as precarious employment, low wages, or lack of alternative options).

Note on vulnerability to SEAH

Recent high-profile cases from Hollywood and around the world have shown that even women in positions of significant professional achievement or financial privilege experience SEAH[21], challenging the misconception that SEAH only happens to economically vulnerable women. While the manifestations of power and vulnerability between people on a film set or in a boardroom may look very different to those in a field; the same unequal power dynamics are underpinning the exploitation. SEAH functions as a tool to maintain gender hierarchies, regardless of class position, income level or social status.

WHAT MIGHT POWER AND VULNERABILITY LOOK LIKE ON A TEA ESTATE?

SOURCES OF POWER

- MALE
- MIDDLE-AGED / OLDER
- MARRIED
- EDUCATED
- PHYSICALLY STRONG
- BUSINESS OWNER OR PERMANENT EMPLOYEE
- IN MANAGEMENT POSITION WITH LITTLE OVERSIGHT; A "GATEKEEPER" ROLE
- CONTROL OVER RECRUITMENT / PERFORMANCE REVIEW
- CONTROL OVER ALLOCATION OF TASKS
- CONTROL OVER DISTRIBUTION OF WAGES
- CONTROL OVER DISCIPLINARY PROCEDURES
- ROLE IN GRIEVANCE HANDLING
- INFLUENCE OVER THOSE WITH CONTROL OF RESOURCES
- ACCESS TO SENIOR LEADERSHIP
- WELL-KNOWN IN COMMUNITY
- OF MAJORITY RELIGION, TRIBAL AFFILIATION OR OTHER SOCIAL GROUPING
- SPEAKS THE MAJORITY LANGUAGE
- CONNECTED TO THOSE WITH POLITICAL OR SOCIAL INFLUENCE IN COMMUNITY
- HAS PERSONAL WEALTH
- FRIENDSHIPS / UNOFFICIAL ALLIANCES WITH OTHER MANAGEMENT OR WITH COMMUNITY LEADERS

INDICATORS OF VULNERABILITY

- FEMALE
- AGE (DIFFERENT VULNERABILITIES AT DIFFERENT AGES)
- SUPPORTING DEPENDENTS
- UNEDUCATED
- IN POVERTY (LINKED TO LOW WAGES)
- PRECARIOUS EMPLOYMENT – TEMPORARY OR INFORMAL
- LIMITED ALTERNATIVE OPPORTUNITIES
- IN RECRUITMENT PROCESS OR NEW/ RECENT EMPLOYEE
- EMPLOYER-PROVIDED HOUSING
- NO OR LIMITED ACCESS TO GRIEVANCE MECHANISMS AND REMEDIATION PROCESSES
- PHYSICAL OR MENTAL IMPAIRMENT
- OF MINORITY RELIGION, ETHNICITY OR TRIBAL AFFILIATION
- SPEAKS MINORITY LANGUAGE



NOTE: These are not exhaustive lists; and not all indicators need to be present. A position of power or of vulnerability can be based on one or more indicator.

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CHAPTER 2:

Good Practices From Industry Experience

The discussions throughout this project highlighted a series of good practices for businesses addressing the issue of SEAH in a crisis moment, and for doing so more generally.

Crisis Management & Beyond

PUTTING PEOPLE FIRST

The first, and most important good practice is explicitly making the protection of people the primary and most immediate objective of the business' response.

A survivor-centred approach places the needs, agency, opinions, safety, dignity and wellbeing of the victim-survivor at the centre of all response and prevention measures. It empowers victim-survivors to be active participants in their remediation. In practice, this means providing appropriate support for them to engage in an informed manner; ensuring their consent is given before any action is taken; their opinions are sought on appropriate punitive and deterrent measures and other interventions; they are kept informed about outcomes; redress is facilitated; and remediation is determined in consultation with those affected. This is all conducted in a manner that protects the confidentiality and dignity of those involved.

Outside of the crisis moment, efforts to address the issue of SEAH or any other human rights related risks and impacts should incorporate engagement with all **rightsholders**, and prioritise the voices of those who are considered most vulnerable. A rightsholder is anyone whose human rights may be impacted by the business' activities, decisions or relationships. Protecting business continuity and minimising reputational, financial, legal and operational risks and impacts – while important – should be secondary to protecting the people connected to the business (notwithstanding the reality that business continuity is vital for the continuing employment of workers).

CRISIS MANAGEMENT – CRITICAL SUCCESS FACTORS

Ten critical success factors have been identified as essential elements for an effective crisis response by commercial tea producers in the wake of revelations of SEAH; but would be largely applicable for responding when any type of human rights violation has been uncovered in a similar large-scale agricultural workplace.

While these factors work together as an integrated system (*see the graphic, right and on the following page*) each component requires careful attention and dedicated resources to achieve meaningful change.

> ***"A lot of companies don't understand the risk they're facing."***



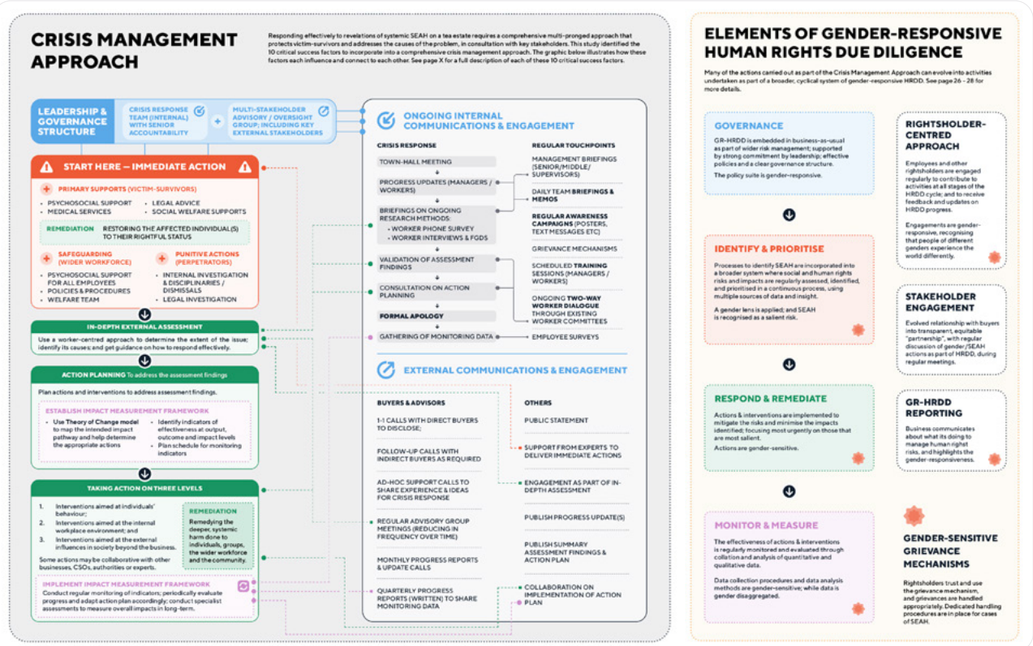


Figure 2. Crisis Management Approach Graphic

VIEW THE EXPANDED GRAPHIC ON THE FOLLOWING PAGE ↘

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CRISIS MANAGEMENT APPROACH

Responding effectively to revelations of systemic SEAH on a tea estate requires a comprehensive multi-pronged approach that protects victim-survivors and addresses the causes of the problem, in consultation with key stakeholders. This study identified the 10 critical success factors to incorporate into a comprehensive crisis management approach. The graphic below illustrates how these factors each influence and connect to each other. See page 22 - 23 for a full description of each of these 10 critical success factors.

LEADERSHIP & GOVERNANCE STRUCTURE

CRISIS RESPONSE TEAM (INTERNAL) WITH SENIOR ACCOUNTABILITY + MULTI-STAKEHOLDER ADVISORY / OVERSIGHT GROUP; INCLUDING KEY EXTERNAL STAKEHOLDERS

START HERE — IMMEDIATE ACTION

PRIMARY SUPPORTS (VICTIM-SURVIVORS)

- PSYCHOSOCIAL SUPPORT
- MEDICAL SERVICES
- LEGAL ADVICE
- SOCIAL WELFARE SUPPORTS

REMEDIATION RESTORING THE AFFECTED INDIVIDUAL(S) TO THEIR RIGHTFUL STATUS

SAFEGUARDING (WIDER WORKFORCE)

- PSYCHOSOCIAL SUPPORT FOR ALL EMPLOYEES
- POLICIES & PROCEDURES
- WELFARE TEAM

PUNITIVE ACTIONS (PERPETRATORS)

- INTERNAL INVESTIGATION & DISCIPLINARIES / DISMISSALS
- LEGAL INVESTIGATION

IN-DEPTH EXTERNAL ASSESSMENT

Use a worker-centred approach to determine the extent of the issue; identify its causes; and get guidance on how to respond effectively.

ACTION PLANNING To address the assessment findings

Plan actions and interventions to address assessment findings.

ESTABLISH IMPACT MEASUREMENT FRAMEWORK

- Use **Theory of Change model** to map the intended impact pathway and help determine the appropriate actions
- Identify indicators of effectiveness at output, outcome and impact levels
- Plan schedule for monitoring indicators

TAKING ACTION ON THREE LEVELS

1. Interventions aimed at individuals' behaviour;
2. Interventions aimed at the internal workplace environment; and
3. Interventions aimed at the external influences in society beyond the business.

Some actions may be collaborative with other businesses, CSOs, authorities or experts.

REMEDIATION

Remedying the deeper, systemic harm done to individuals, groups, the wider workforce and the community.

IMPLEMENT IMPACT MEASUREMENT FRAMEWORK

Conduct regular monitoring of indicators; periodically evaluate progress and adapt action plan accordingly; conduct specialist assessments to measure overall impacts in long-term.

ONGOING INTERNAL COMMUNICATIONS & ENGAGEMENT

CRISIS RESPONSE

TOWN-HALL MEETING
↓
PROGRESS UPDATES (MANAGERS / WORKERS)
↓
BRIEFINGS ON ONGOING RESEARCH METHODS:
- WORKER PHONE SURVEY
- WORKER INTERVIEWS & FGDS

↓
VALIDATION OF ASSESSMENT FINDINGS
↓
CONSULTATION ON ACTION PLANNING
↓
FORMAL APOLOGY
↓
GATHERING OF MONITORING DATA

REGULAR TOUCHPOINTS

- MANAGEMENT BRIEFINGS (SENIOR/MIDDLE/ SUPERVISORS)
- DAILY TEAM **BRIEFINGS & MEMOS**
- **REGULAR AWARENESS CAMPAIGNS** (POSTERS, TEXT MESSAGES ETC)
- GRIEVANCE MECHANISMS
- SCHEDULED **TRAINING** SESSIONS (MANAGERS / WORKERS)
- ONGOING **TWO-WAY WORKER DIALOGUE** THROUGH EXISTING WORKER COMMITTEES
- EMPLOYEE SURVEYS

EXTERNAL COMMUNICATIONS & ENGAGEMENT

BUYERS & ADVISORS

1-1 CALLS WITH DIRECT BUYERS TO DISCLOSE;

FOLLOW-UP CALLS WITH INDIRECT BUYERS AS REQUIRED

AD-HOC SUPPORT CALLS TO SHARE EXPERIENCE & IDEAS FOR CRISIS RESPONSE

REGULAR ADVISORY GROUP MEETINGS (REDUCING IN FREQUENCY OVER TIME)

MONTHLY PROGRESS REPORTS & UPDATE CALLS

QUARTERLY PROGRESS REPORTS (WRITTEN) TO SHARE MONITORING DATA

OTHERS

PUBLIC STATEMENT

SUPPORT FROM EXPERTS TO DELIVER IMMEDIATE ACTIONS

ENGAGEMENT AS PART OF IN-DEPTH ASSESSMENT

PUBLISH PROGRESS UPDATE(S)

PUBLISH SUMMARY ASSESSMENT FINDINGS & ACTION PLAN

COLLABORATION ON IMPLEMENTATION OF ACTION PLAN

ELEMENTS OF GENDER-RESPONSIVE HUMAN RIGHTS DUE DILIGENCE

Many of the actions carried out as part of the Crisis Management Approach can evolve into activities undertaken as part of a broader, cyclical system of gender-responsive HRDD. See page 24 - 26 for more details.

GOVERNANCE

GR-HRDD is embedded in business-as-usual as part of wider risk management; supported by strong commitment by leadership; effective policies and a clear governance structure.

The policy suite is gender-responsive.

IDENTIFY & PRIORITISE

Processes to identify SEAH are incorporated into a broader system where social and human rights risks and impacts are regularly assessed, identified, and prioritised in a continuous process, using multiple sources of data and insight.

A gender lens is applied; and SEAH is recognised as a salient risk.

RESPOND & REMEDIATE

Actions & interventions are implemented to mitigate the risks and minimise the impacts identified; focusing most urgently on those that are most salient.

Actions are gender-sensitive.

MONITOR & MEASURE

The effectiveness of actions & interventions is regularly monitored and evaluated through collation and analysis of quantitative and qualitative data.

Data collection procedures and data analysis methods are gender-sensitive; while data is gender disaggregated.

RIGHTSHOLDER-CENTRED APPROACH

Employees and other rightsholders are engaged regularly to contribute to activities at all stages of the HRDD cycle; and to receive feedback and updates on HRDD progress.

Engagements are gender-responsive, recognising that people of different genders experience the world differently.

STAKEHOLDER ENGAGEMENT

Evolved relationship with buyers into transparent, equitable "partnership", with regular discussion of gender/SEAH actions as part of HRDD, during regular meetings.

GR-HRDD REPORTING

Business communicates about what its doing to manage human righst risks, and highlights the gender-responsiveness.

GENDER-SENSITIVE GRIEVANCE MECHANISMS

Rightsholders trust and use the grievance mechanism, and grievances are handled appropriately. Dedicated handling procedures are in place for cases of SEAH.

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Ten Critical Success Factors: Explained

LEADERSHIP & GOVERNANCE

In the wake of an expose or other crisis, a visible leadership commitment and robust governance model is essential for re-building trust with the affected individuals and other stakeholders, ensuring accountability, and driving long-term organisational change.

PRIMARY SUPPORTS TO VICTIM-SURVIVORS

Primary support refers to the help given to affected individuals immediately after an incident of SEAH or immediately after it becomes known. It is time-sensitive and case-specific; and may include provisions such as medical, psychosocial and legal support.

SAFEGUARDING

Safeguarding refers to the actions required to ensure everyone in the workplace is safe; their physical and mental wellbeing is protected; and the risk of SEAH re-occurring is minimised. This means preventing further harm, re-traumatisation or retaliation through careful attention to confidentiality, security, risk mitigation, consent, and support services for all employees on an ongoing basis.

PUNITIVE ACTIONS AGAINST PERPETRATORS

Investigating individual incidents and taking appropriate action to hold perpetrators accountable demonstrates zero tolerance, provides justice and validation for victim-survivors, and helps deter and prevent recurrence.

Depending on the environment, it may also help to break existing patterns of impunity; contribute to re-building trust; and support a move towards organisational culture change by showing clear consequences for unacceptable behaviour.
Punitive actions must be legally sound, fair, proportionate, human rights-compliant, properly documented, and – where appropriate - coordinated with relevant authorities.

IN-DEPTH EXTERNAL ASSESSMENT

An in-depth workplace assessment helps the business to understand the true nature and extent of the issue; why it is happening; and how it is impacting workers and others. The assessment should seek to identify the external influences that contribute to the problem; as well as the internal causes.

Investigating sensitive social or personal issues such as SEAH requires specific skills, knowledge and tools, and should be conducted by appropriately qualified third parties. External expertise brings objectivity, and credibility to the process.

REMEDIATION

Effective remediation addresses both individual harm and systemic harm, predominantly serving to support and restore any victim-survivor(s) to their rightful status, while also helping to restore trust and prevent future occurrences.

PLANNING & IMPLEMENTING ACTIONS

Appropriate actions and interventions are required to address the root causes of the issue and mitigate future risk. Structured planning enhances the likelihood of achieving the intended changes.

MONITORING, EVALUATION & IMPACT MEASUREMENT

Robust monitoring ensures accountability, tracks progress, identifies inefficiencies and promotes adaptation; and helps demonstrate the effectiveness of interventions/actions. In the long-term, measuring the impact of the interventions illustrates whether the interventions have led to the intended changes in the lives of the women and men who work on the estate.

WORKER ENGAGEMENT

Effective engagement with employees and other internal stakeholders ensures credibility for your approach; foster comprehensive understanding of the issues, (re-)builds trust, and encourages buy-in for solutions. Rightsholders – workers and others whose human rights are impacted by the business - should be the primary audience(s) for communication about the business' crisis response because:

- they represent the people most affected by the problem and hold the information and insights you need,
- they need to be informed about services being made available to them (e.g. psychosocial counselling),
- they must be able to give informed consent if/when asked to take part in any research engagements,
- in a professional capacity, some hold responsibilities and/or influence for addressing SEAH issues, and
- building trust with the workforce and others who are on-site is necessary for the continuation of business.

STAKEHOLDER ENGAGEMENT - EXTERNAL STAKEHOLDERS

Proactive and transparent engagement with external stakeholders serves multiple critical functions: managing buyer relationships and business continuity, accessing essential expertise and resources, and providing independent oversight. External stakeholders can challenge internal assumptions and power dynamics that may have contributed to the problem, while also providing valuable insights into industry-wide best practices and lessons learned from similar situations. Their involvement enhances credibility, helps rebuild trust, and connects the organization to wider support networks that can contribute to more sustainable solutions. Some key external stakeholders:

- Buyers (direct and indirect)
- Local communities
- Trade Unions
- Industry bodies (e.g. ETI, ETP etc)
- CSOs
- Government & authorities
- Media & public

See Appendix 1 Critical Success Factors – Key Activities for further details.

Some common challenges encountered during crisis management

FINANCIAL & RESOURCE BASED

- Cashflow disruptions due to orders being paused or cancelled
- Economic pressures and industry instability, forcing a focus on cost minimisation and influencing employment conditions that leave workers vulnerable; also leaving limited resources to invest in crisis response
- Skills gaps
- Resourcing – internal leaders on gender face limitations on budget & authority to deliver on their mandate

PROCEDURAL

- Balancing the demand for swift action with the need to conduct thorough investigations
- Managing the demands of stakeholder engagement with many different stakeholders, which can be resource-intensive and lead to fatigue among key personnel
- Managing competing, repeated demands on workers to engage with research / fact-finding activities
- Overcoming resistance from those within the workforce who benefit from the status quo; in some cases, overcoming resistance from men to the idea of women's empowerment and equality where it is seen as a threat
- Pursuing punitive measures against perpetrators without tangible evidence, and navigating the legal and cultural constraints of doing so
- A tendency toward short-term actions, to the detriment of deeper change – difficulties comprehending the scale of the challenge of organisational culture change and contributing to broader change within the community.

RELATIONAL

- (In some cases) lack of support due to a "cut and run" approach adopted by some buyers
- Re-establishing trust between management and workers; getting buy-in from the workforce for changes
- (In some cases) navigating antagonistic relationships with local union leadership

Crisis Response: How to decide on a governance model?

An internal governance model, where accountability and oversight rests with an internal crisis response team, offers several advantages:

- quicker decision-making due to streamlined processes;
- stronger confidentiality protections;
- greater control over sensitive information; and
- typically lower operational costs.

The internal team's deep understanding of the organisation's systems and ways of working can enable rapid implementation of changes. However, this model risks being perceived as lacking independence and transparency, potentially undermining credibility with external stakeholders and affected communities. There may also be blind spots due to internal biases or power dynamics that contributed to the original issues.

In contrast, initiating a **multi-stakeholder governance model** – where the approach is directed by an Oversight Committee or Steering Group that includes external experts and other interested parties (e.g. buyers, union reps, local CSOs and industry bodies) – can

- provide greater credibility and trust, particularly with affected communities and civil society organisations.
- Enable external members to challenge internal assumptions; share relevant experiences and bring specialised expertise and guidance; and
- help ensure more robust solutions that address systemic issues.

A multi-stakeholder body can also serve as a channel for keeping key stakeholders informed and engaged. This model demonstrates organisational commitment to transparency and can help rebuild trust more effectively. The downsides include potentially slower decision-making processes due to the need to coordinate multiple stakeholders; higher operational costs; greater complexity in managing confidential information; and possible challenges in maintaining consistent engagement from external parties over time. There may also be tensions between different stakeholders' priorities and approaches.

Based on the experiences of the participating case study companies and reflections from other stakeholders, a hybrid model – having an internal crisis response team for day-to-day management and rapid decision-making, guided by an external advisory committee that includes key stakeholders and subject matter experts – may provide preferable balance between operational efficiency and external accountability. This model would require careful definition of roles and decision-making authority between the two groups; and may benefit from a neutral third party to chair and mediate.

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Beyond a crisis: Embedding gender-responsive Human Rights Due Diligence (HRDD)

While crisis management is necessary in certain situations, it is inherently reactive. A more holistic, proactive human rights risk management system would better position companies to prevent such issues and respond appropriately when they occur. This can be achieved through human rights due diligence (HRDD).

For the participating case study companies, much of what they implemented as part of crisis management naturally evolved into elements of a broader HRDD system or were eventually amalgamated with the HRDD systems and processes being developed.

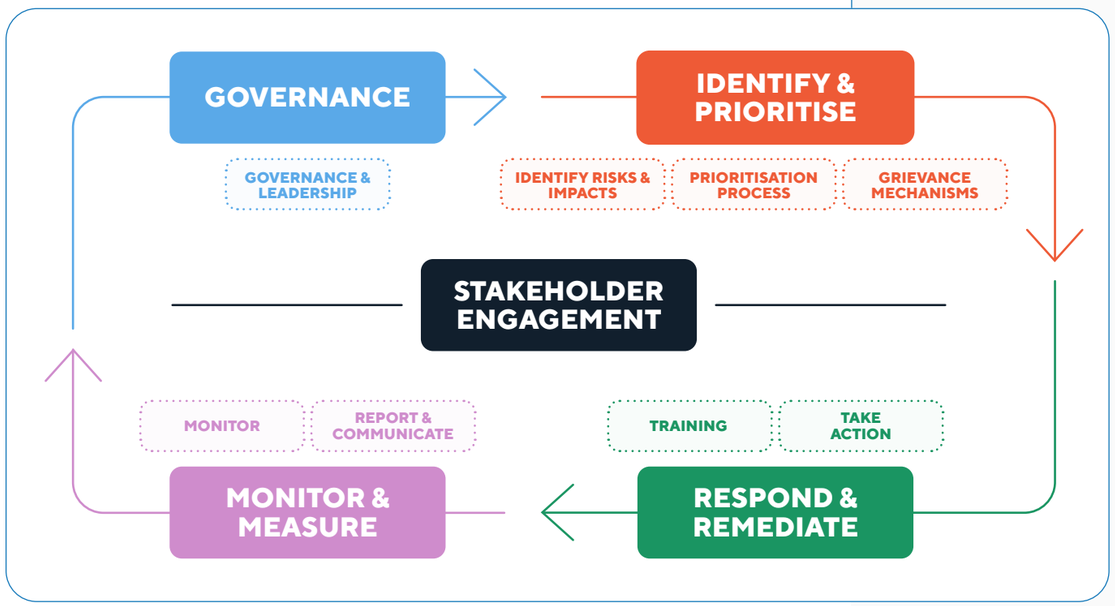
The cyclical HRDD approach ensures that efforts to combat SEAH are not just standalone initiatives but become embedded in everyday operations even after the "crisis moment" has passed, through regular risk assessment, monitoring of responses, and communication about how impacts are being addressed. This integration is critical for achieving the intended sustainable long-term change in the lives of tea workers.

What is Human Rights Due Diligence?

HRDD is an ongoing, cyclical risk management system for businesses to:

- → Commit and embed a governance structure for managing human rights risks;
- → Identify any human rights risks or impacts connected to their operations or activities (including throughout the supply chain)
- → Prioritise the most urgent issues
- → Respond by taking action to prevent or mitigate those most urgent risks, and remediate any impacts
- → Monitor and measure progress; and
- → Report (communicate) about what is being done.

Gender-responsive human rights due diligence (GR-HRDD) is an approach that recognises that human rights violations in the workplace are not gender-neutral[22]; and utilises a gender lens throughout the stages of the HRDD cycle.



Elements of gender-responsive HRDD

GOVERNANCE	GR-HRDD is embedded in business-as-usual as part of wider risk management; supported by strong commitment by leadership; effective policies and a clear governance structure. The policy suite is gender-responsive. It is evidenced through, for example: • Effective policy suite in place • HRDD oversight structures in place; which may incorporate an external advisory panel • Budget & other resources allocated • Nominated senior leader with accountability for GR-HRDD; and relevant KPIs established for key senior personnel • Dedicated operational level personnel (e.g Welfare Team) in position • Regular reporting from technical leads into senior leaders
IDENTIFY & PRIORITISE	Processes to identify SEAH are incorporated into a broader system where social and human rights risks and impacts are regularly assessed, identified, and prioritized (using methods established in the UNGPs) in a continuous process, using multiple sources of data and insight such as: • Analysing existing and new data-sets (including aggregated grievance data) to identify trends, patterns & high-risk areas • Findings from employee surveys • Desk-based risk assessments • Findings from in-depth assessment(s) (Note: these activities focus on internal risk assessment; and may be different for identifying the risks in the supply chain, beyond the business' own operations) A gender lens is applied; and SEAH is recognised as a salient risk.
RESPOND & REMEDIATE	Actions & interventions are implemented to mitigate the risks and minimise the impacts identified; focusing most urgently on those that are most salient. Actions are gender-sensitive. Regarding SEAH, these may include: • Remediating effectively. • Maintaining long-term supports as needed to individuals affected by SEAH and/or the wider workforce. • Interventions to deter and prevent re-occurrences. • Interventions to address the root causes such as unequal power dynamics, and the vulnerability of some workers. • Maintaining a professional Welfare Team (social workers/counsellors) in place to support safeguarding & wellbeing of workforce and other rightsholders on-site.
MONITOR & MEASURE	The effectiveness of actions and interventions are regularly monitored and evaluated through collation and analysis of quantitative and qualitative data. Data collection procedures and data analysis methods are gender-sensitive; while data is gender disaggregated. • Extending use of the Theory of Change beyond the initial timeframe of the crisis response. • Continuing to monitor, regularly evaluate and measure impact. • Commissioning external experts to measure social impact in the long-term.
STAKEHOLDER ENGAGEMENT – BUYER-SUPPLIER RELATIONSHIP DYNAMIC	An evolved relationship with buyers is a transparent, equitable "partnership" with regular discussion of gender/SEAH actions as part of HRDD, during regular meetings.

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Elements of gender-responsive HRDD (continued)	
RIGHTSHOLDER ENGAGEMENT	Employees and other rightsholders are engaged regularly to contribute to all stages of the HRDD cycle through, for example: • Effective worker representation structures in place, functioning through worker committees, etc • Respectful two-way dialogue and relationships with shop stewards and local Union representatives • Regular (anonymous and confidential) worker surveys • Gender Champions in place • Workers trained and engaged on advocating for their human & labour rights • Rightsholders engaged as core part of methodologies for human rights impact assessments (HRIAs) and action-planning • Regular updates to workers on HRDD progress; sharing of monitoring data **Engagements are gender-responsive, recognising that people of different genders experience the world differently.**
GENDER-SENSITIVE GRIEVANCE MECHANISMS	Rightsholders trust and use the grievance mechanism(s), and grievances are handled appropriately. Dedicated handling procedures are in place for cases of SEAH. • Gender-appropriate grievance mechanisms are available to workers and to other rightsholders; accounting for barriers to access affecting different genders • The grievance mechanisms are fit for purpose and aligned with the 7 effectiveness criteria outlined in the UNGPs • Regular gender-sensitive analysis of aggregated data, with insights integrated into all relevant stages of the HRDD cycle
GR-HRDD REPORTING	Business communicates about what its doing to manage human rights risks, and highlights the gender-responsiveness, through, e.g: • Sustainability / Human Rights Annual Reports • Modern Slavery Statements • Press releases • Publication of HRIAs & Action-Plans • Bilateral /Multi-lateral project monitoring update

The buyer-supplier relationship and the cascade effect of HRDD

The experiences of the participating case study companies highlighted the critical role of their buyer/retailer relationships in equipping them to respond to revelations of SEAH. How buyers use their (individual and collective) leverage is key, with significant differences observed among the three cases. Some buyer-supplier relationships are hierarchical, top-down and compliance focused, whereas others are highly collaborative; predicated on mutual learning, support and continuous improvement.

Where buyers play more supportive roles – especially giving advice or collaborating on initiatives to address the root causes of SEAH - the efforts to address SEAH were found to be more productive and sustainable in the long term. On the other hand, unequal power dynamics persisting between some producers and some buyers caused challenges and limitations in the response, indicating a need to reconsider and redefine these relationships.

KEY ISSUES IDENTIFIED:

- **Inconsistent support:** Some buyers stopped purchasing in the aftermath of the SEAH revelations, contradicting previous collaborative efforts to address gender inequality. Importantly, other buyers did not stop purchasing. **Continuing to purchase was noted as the single most effective way for a buyer to support a producer company in such a situation**. It was noted by one company that only one of their customers had made a concrete long-term commitment (a 5-year supply agreement), despite a clear recommendation for buyers to do so that arose out of their independent assessment.
- **Internal disconnect:** Ethical trade teams and purchasing teams within buying organisations often take contradictory actions or give messages that undermine each other.
- **Pricing pressures:** Stakeholders identified a direct link between the prices received by producers from buyers, and the challenges they and their workers experience. The low prices negotiated by buyers – often below the cost of production - and the use of tea as a "loss leader" by supermarkets creates economic pressures throughout the supply chain, making it difficult for producer companies and others to invest in improvements, pay living wages, or mitigate issues like SEAH effectively.

Buyers need to be cognisant of their position; understand their own HRDD obligations and the challenges producer companies face; and reflect on their own ongoing purchasing practices that contribute to the persistence of the problem of SEAH in the tea sector.

A key principle of HRDD: shared responsibility

The UNGPs require businesses to understand and manage human rights risks throughout their supply chains, not just within their own operations. For this reason, when a human rights violation such as SEAH occurs in the tea supply chain, responsibility for its occurrence and its remediation extends across multiple actors. Any business that should have identified the risk through its own HRDD bears a portion of responsibility. The proportional "share" of that responsibility is determined by two factors: the directness of the company's connection to the harm, and its power to influence other involved parties. This creates overlapping layers of responsibility. While the business where the violation occurred has direct responsibility, companies that source from it also have independent obligations to contribute to the harm being addressed, remediated, and prevented in the future. Buyers with significant purchasing power carry enhanced responsibility, as their market position both increases their obligation to monitor suppliers, and their ability to drive meaningful change.

For example, while the three participating case study companies – all tea producers – bear the direct responsibility over SEAH occurring in their workplaces; tea packers and retailers who are their direct and indirect buyers are also each subject to their own independent responsibility to contribute to the response and remediation. This means that the task of fixing the problem cannot be simply pushed downwards by buyers onto the shoulders of their suppliers.

Multi-stakeholder initiatives and industry collaborations become essential tools in this context, enabling companies to pool resources in pursuit of common goals; strengthen their collective due diligence; and amplify their influence to prevent and address violations.

For buyers, accepting and acting on shared responsibility in the "crisis moment" may mean, for example:

- Using the four levels of connection, as set out in the UNGPs, to determine how closely connected the business is to the harm caused; and using this insight to determine the appropriate level of involvement.
- Participating in multi-stakeholder governance or advisory groups overseeing or guiding the overall response.
- Supporting the supplier in question to build their capacity to respond effectively.
- Working individually or collaboratively to implement actions to mitigate the risk of future occurrences; and
- Taking part in the process to determine the appropriate remediation for affected individuals; and contributing to the agreed remediation (financial or non-financial).
- Where appropriate, using leverage to encourage best practice and influence change among others.
- Avoiding taking punitive actions against the supplier that will hinder their capacity to effectively support the victim-survivors or to mitigate the future risk sufficiently.

Outside of the crisis moment, accepting and acting on shared responsibility may mean, for example:

- Knowing the risks and impacts, by conducting comprehensive due diligence.
- Clearly communicating expectations to suppliers.
- Supporting suppliers' knowledge and capacity to implement gender-responsive HRDD.
- Evaluating the buyer-supplier relationship dynamic to ensure the relationship does not disincentivise suppliers from disclosing risks and impacts such as SEAH.
- Collaborating on or supporting interventions designed to address the root causes of the issues.

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- Remediating or contributing to the remediation (financial or non-financial) of harm.
- Using leverage to drive responsible business behaviour and transparency across the supply chain. For smaller buyers with limited influence, leverage can be increased by acting collectively with others to amplify the influence.

Of course, in the case of systemic issues such as SEAH – where the causes extend beyond both the individual business and the tea supply chain - the extent of "shared responsibility" also extends beyond private sector actors. The state has a responsibility to protect human rights. In practice, this means that acting on the collective shared responsibility will mean consultation and collaboration with government and civil society, as well as among supply chain partners. For example, after revelations of system SEAH in the apparel sector in Lesotho, a landmark agreement was reached in 2019 involving trade unions, women's rights organisations, international brands and suppliers.

The agreement established a worker-led program aimed at eliminating GBVH through the creation of an independent grievance mechanism empowered to investigate complaints and enforce disciplinary measures, as well as the establishment of a survivor support centre for ongoing assistance.

The initiative also mandated worker and management training on GBVH, making it a model for addressing workplace abuse and harassment globally.

Promising interventions and actions to address SEAH

Addressing SEAH in tea estates requires a systemic approach that tackles drivers of SEAH at all levels concurrently — individual, organisational, and societal. For example, a programme supporting women into leadership positions must be accompanied by organisational culture change which challenges pre-existing harmful gendered social norms and beliefs. Given the short timeframe between the initial revelations and this research (for two out of the three cases), it has been difficult to determine the actual impact of the actions and interventions taken by the participating case study companies.

The following interventions represent promising practices that align with standard good practice expectations. They are a combination of interventions implemented by the participating case study companies, and some identified through broader desktop research.

Support & Safeguarding

Provision of psychosocial support to the entire employee base, as done by one case study company.

One case company had already established a welfare team to support workers, but additional welfare assistants were later added to the team after systemic SEAH issues were identified, ensuring independent handling of cases separate from estate managers and supervisors.

Providing workers with a simple, anonymous way to share their feelings about their working environment — such as using emojis at the end of the day to indicate safety concerns—is a promising intervention. One case company conducts short SMS surveys every 6 months to solicit feedback directly from workers. This feedback can help companies identify red flags or high-risk factors for SEAH and take preventive action before serious issues arise.

Safeguarding your workforce by avoiding employment practices that would make workers even more vulnerable, which includes minimising outsourcing and the use of contractors and ensuring that any workers recruited through contractors are represented in worker voice mechanisms and have access to remedy.

Integrating Women's Safety Audits (WSAs) into overall Health & Safety risk assessment and management helps to ensure the health & safety strategy is gender-responsive. The WSA model identifies gendered risks in the physical design of infrastructure in the workplace and adjacent areas such as villages, roadsides, and sanitation facilities. The findings from WSAs also inform HRDD. See here for a case study from the tea sector in Assam, India.

Embedding HRDD

One case company trained management in HRDD and include HRDD expectations of managers in 30% of their KPIs.

Changes to management structure

One case study brought in a cohort of young graduates into a new professional role to oversee estate and field managers. They were trained, including on gender equality in the workplace, and displayed a different set of beliefs, values and attitudes than the older generations. The initiative was specifically designed to change the behaviour and attitudes across teams and provide oversight to roles that previously held too much unchecked power. Notably, 60% of this new cohort were women, addressing gender imbalances in management.

Having a representative present in operational meetings that can integrate gender concerns in worker initiatives and in all communication with workers.

HR processes and systems

One company case study introduced a new Peoples Processes Oversight Framework featuring a senior leadership oversight committee, predominantly female, that meets weekly to review recruitment and work allocation data. The framework also includes three-person recruitment panels at each estate and factory, appointed quarterly and trained by the oversight committee to oversee recruitment and HR decisions. Additionally, the oversight committee regularly reviews grievance data to ensure cases are handled appropriately and followed up effectively.

It remains a crucial intervention to address the unchecked power of middle/lower managers and supervisors in recruitment, communication and other worker-related issues. Remove the recruitment powers of managers through changes to the HR recruitment policy and procedures.

Women's economic empowerment

Appointing more women in senior leadership positions can better equip businesses to address systemic SEAH and SEAH incidents, but such initiatives need to be context-driven and done through consultation with women's groups as there can be unintended negative consequences of appointing women in leadership positions. This is especially true for contexts where female leadership is not supported in the wider social context. See this study on the role of supervisors in Bangladeshi garment factories.

Establishing gender committees or gender representatives (comprising of both men and women) in the business help creating awareness on SEAH/GBVH, women's rights, and improve women's confidence in raising their concerns. See this case study in Ethiopian Horticulture.

Training women (from the community and in the workforce) on financial literacy, life skills, information and communication technology, and entrepreneurship to improve their economic resiliency and total dependence on employment in tea. See for example the work done by the Gender Empowerment Platform in Kenya.

One of the case studies established a successful locally-based Village Savings & Loans (VSLAs) Scheme programme – co-funded and supported by one of their main buyers and by ETP – in direct response to the issue of loan sharking, identified as a key contributing factor to the vulnerability of women workers, and the abuse of power by men in positions of authority. This programme has since grown and is considered effective in supporting financial independence for women and diversification of incomes away from total reliance on tea harvesting. It is important to recognise power imbalances in financial empowerment schemes. CARE has revisited its VSLA model to address society-wide gender norms and gender equalities that continue to create barriers to women's financial success. They work like normal VSLAs but with the added dimension of equipping women with power and autonomy; supporting leadership skills beyond just financial knowledge; building social capital; broader policy and societal changes.

Education and awareness raising

Engaging the local community radio to share information on ending SEAH and GBVH and challenge social norms, attitudes, and behaviours that promote gender inequalities and violence against women in Kenya. See case study here.

Training a pool of gender champions in local communities in the DRC to encourage peer learning on meaningful empowerment of women and promoting safe spaces for women and girls. See case study here.

One company case study invested in a training program aimed to transform a culture of power abuse by ensuring that the content is context specific, delivered in the participants' native language, and

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facilitated by someone who is familiar with the core message. This training included managers, workers and committee members, with the content focussed on gender inequality, SH and GBV, and specifically changing deeply seated norms and behaviours that enabled an abuse of power. This company also initiated a workshop on acceptable workplace behaviour of which the outcome of the workshop was measured through a pre/post assessment and developed specific training for senior management on how to handle sensitive disclosures/complaints.

Empowering adjacent communities with the skills and knowledge on SEAH/GBVH and harmful social norms

There have been various promising interventions aimed addressing gender inequality, prevalence of GBVH/SEAH and harmful gender norms in the communities adjacent to businesses, such as:

- Engaging external stakeholders such as the police to collaborate on improving the effectiveness of responding to cases of SEAH in Kenya. See case study here.
- Investing in clubs where boys and girls learn about critical thinking, decision-making, assertiveness and self-esteem; including building life skills and awareness of GBV and child abuse; as well as how to identify harmful situations; and how to ensure their own safety. See the case study here.
- Working with faith leaders and local communities to challenge adverse attitudes about gender and violence as per this case study in the Democratic Republic of Congo. For example, faith leaders were trained to speak to people in their communities about the issue and were encouraged to raise the subject in sermons, prayer groups, and youth groups. Gender Champions and Community Action Groups were also trained to promote gender equality and nonviolence and to advocate for victim-survivors' needs and rights.
- Using theatre and arts to engage with local community members; sharing key messages on GBVH, raising awareness of OGMs and challenging harmful social norms. See the case study here.

CHAPTER 3:

Reflections and Lessons Learned

Ten Key Lessons

The following ten key lessons are derived from the perspectives of the participating companies, their actions during the crisis moment and beyond, and insights from further engagements with stakeholders and experts on the issue of SEAH.

1. **Traditional social compliance methods are not enough. Accept the importance of pro-active risk assessment and Human Rights Due Diligence (HRDD) to overcome the limitations of those methods (policies and procedures; social audits and external certifications).** Company representatives reflected that many businesses, including themselves, had previously underestimated or failed to fully comprehend the human rights risks – including SEAH – faced by workers and others, or the potential impact of those risks on business operations. Having policies and procedures in place, while necessary, is insufficient to prevent SEAH or address its complex causes. Furthermore, **a business cannot outsource human rights risk assessment by relying solely on certifications or social audits.** These can provide a false sense of security, as they rarely uncover sensitive and hidden issues like SEAH. Over-reliance on these methods creates the gap that allows SEAH issues to go undetected. Addressing SEAH within an HRDD framework instead will retain focus and drive momentum even after the initial "crisis response" phase has passed.
2. **A survivor-centric approach is important.** Focus first on prevention of (further) harm to victim-survivors and others. Ensure confidentiality is maintained, and individuals' dignity, agency, needs and preferences are respected. Organisations must move beyond viewing victim-survivors merely as sources of information for investigations or problems to be managed, and instead position them as key stakeholders in developing solutions.
3. Central to any response should be **actions addressing power imbalances and challenging hierarchical (formal and informal) power structures** that influence the workforce. This means addressing the factors that give individuals excessive power; as well as those that make others vulnerable. **Most importantly, make these actions gender-transformative*** – consider the representation of women everywhere across the business (in leadership, technical roles, unions, committee structures)
4. **Long-term commitment to organisational transformation is required.** Change takes time. The timeframe for implementation will likely be a minimum of 3-5 years.
5. **Effective ongoing worker communication & engagement – engendering a relationship of trust – is a critical success factor.** The participating case study companies learned the value of involving employees throughout the process of addressing SEAH. A **participatory approach** that engages workers and all levels of management in identifying issues and developing solutions was found to increase buy-in and effectiveness. Company representatives recalled realising that trust had been eroded due to the workers' experiences, so **focusing on building or re-building trust** between management and the workforce became an essential pillar of their responses. Insights from the research also suggest that unions, as key stakeholders, may be overlooked in some companies' approaches, indicating a potential area for improvement in worker engagement strategies.
6. There is a need to continually **monitor progress and measure impact** – tracking agreed KPIs using quantitative and qualitative data – to understand effectiveness of the business' efforts and enable evidence-based decisions. "Impact" must be understood as the **long-term meaningful improvements** brought about in the lives of tea workers.

> *"You need to be brave"*

7. The **power and influence of buyers** has both positive and negative potential. Buyers (packers and retailers) must reflect on how to best use their leverage responsibly.
8. **Commercial decisions (by producers and by buyers) contribute to creating the environment in which systemic SEAH persists.** Downward pressure on prices, forcing a focus on cost minimisation across the whole supply chain, directly contributes to workers' multi-faceted vulnerability.
9. **The responsibility for addressing SEAH in the tea supply chain is shared with other (private sector) actors.** Shared responsibility creates opportunity as well as obligation. There has been a noticeable evolution towards sharing of responsibility among different actors.
10. **Recognising the limits of internal knowledge and expertise; the industry needs to seek support, expertise and guidance; and must resource this need accordingly.** While key individuals across the sector are already leading the discourse and driving change, they should be championed and supported. For example, the need for subject-matter expertise may relate to gender equality, sexual violence, psychology and behaviour change; HRDD; social research; social impact measurement; or developing culturally appropriate interventions. Although upskilling or engaging external support can be resource-intensive, it is essential for building credible, impactful responses to SEAH.

**Gender-transformative means taking an approach that goes beyond just recognising gender-based inequality and discrimination[23], seeking to dismantle the underlying structural root causes of inequality, i.e. gendered norms, roles and relations, to achieve lasting change[24].*

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Transforming Industry Practice: Key Areas for Change

The main observable trend that emerged from this research study is a tendency among different private sector actors towards short-term actions, to the detriment of deeper change.

Individually and collectively, the three participating case study companies and many others in the tea supply chain are exhibiting a profound shift in maturity – with the recognition of unequal power dynamics; more comprehensive approaches towards addressing SEAH; increased focus on root cause analyses; gradual alignment with HRDD; and a move towards collaboration and community-engaged approaches.

Nonetheless, to date, actions and interventions predominantly focus on implementing and enforcing workplace rules and programmes to ensure the risk of SEAH is mitigated as seen from a management-systems perspective. Undoubtedly, these actions address the identified direct cause of "abuse of power", establish strong deterrents, and strengthen worker representation. However, with rare exceptions, such as a behavioural training programme delivered by one of the participating case study companies, a gap can be seen in the industry, where there are few innovative in-depth actions targeting the underlying, deeper root causes that are more difficult to change – organisational culture; social norms; behaviour and attitudes; economic inequality; and the web of reasons behind the persisting vulnerability of women.

This highlights an opportunity for shared learning and research in the tea sector on ways to address these deeper challenges effectively.

There are five key areas for change emerging as focus topics for private sector actors:

- Understanding the **sensitive nature of SEAH**; and re-considering its prevention as well as the type of **grievance mechanisms** most suited for reporting it
- Understanding the full remit of what "**remediation**" means and how to provide access to remedy in all its forms
- Understanding the theory and practice of **social impact measurement**
- Understanding SEAH as a **behavioural issue**; and using that lens to design interventions addressing the psychological drivers of human behaviour.
- Understanding **organisational culture**, its role at the core of the problem of persisting SEAH, and how to achieve the organisational transformations that are needed to create the preconditions for effecting practical change at the individual, organisational and societal levels.

Understanding the nature of SEAH & appropriate prevention and grievance handling

A change of approach is needed, to focus more on preventing SEAH; while also ensuring the follow-up, when SEAH is reported, is appropriate and survivor-centred.

SEAH is a sensitive and socially stigmatised issue, and a deeply personal problem for those who experience it. Research shows that SEAH remains systematically under-reported globally, due variously to fear, shame, trauma, victim-blaming or perceived helplessness because of a "justice-gap"[25]. The phenomenon of under-reporting is as present on tea estates – even those with functioning operational-level grievance mechanisms (OGMs) – as it is elsewhere.

Understanding the sensitive nature of SEAH, and how it differs from other typical workplace grievances, is key to identifying the appropriate interventions for addressing it.

OGMs have been at the centre of much of the discourse around workplace SEAH in recent years; but they are not the solution. An OGM designed for handling cases of sexual violence can provide a clear and trusted space for following-up after a report; but it does not prevent the harm from occurring. Furthermore, over-reliance on OGM data to surface problems such as systemic SEAH places an undue burden on victim-survivors, who carry the weight of responsibility for reporting. As such, OGMS are only part of the solution.

There is a need to pivot the focus away from OGMS; towards preventive measures.

Where OGMs are in place; while they may be effective for addressing a range of workers' concerns, they may not be appropriate for disclosures of SEAH. For example, apart from hotlines, the first point of contact for reporting issues is often supervisors/team leaders, who are male and often seen to protect managers implicated with SEAH incidents. For people to have confidence in OGMs, it is important to consider whether those receiving reports have sufficient expertise, independence and seniority to deal with the issues reported. While it is common practice for worker committees (e.g. welfare / gender committees) to take an active role in grievance handling, this may not be appropriate in SEAH cases.

Further research should be undertaken to enhance knowledge on best practice OGM models for cases of sexual violence, and to design and pilot innovative alternative models.

> ***"The first point of contact for reporting issues is often supervisors/ team leaders, who are male."***

What might effective OGMs for SEAH look like?

Any OGM should be designed and implemented with the participation of affected communities, and in accordance with the 7 effectiveness criteria laid out in the UNGPs[26].

They should, at a minimum be:

+ Accessible to employees and the community; and tailored for different groups[27]
+ Offering multiple channels or contact points, including anonymous options
+ Staffed by suitably trained individuals to receive and handle SEAH cases
+ Confidential[28]

Best practice guidance sets out three models for OGMS: fully internal; externally supported with internal oversight; or an independent external mechanism[29]. The ability to report to independent grievance mechanisms is important in companies where senior managers are, or have been, implicated in SEAH.

The International Accord is an example of an independent OGM; whereas Kenyan agricultural company Kakuzi operates an example of an OGM combining internal and external elements.

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Understanding remediation and access to remedy

There is a need to broaden the understanding of what "remediation" means and what constitutes effective remedy for SEAH cases.

Remediation is not simply commensurate with the task of responding to and preventing incidents of SEAH. This is a common misconception. **To remediate is to redress; or to put right a wrong.** For tea estates addressing SEAH cases, this requires providing whatever is necessary to counteract the harm that has already been done to the affected individual(s).

The different types of remedy include:

+ **Restitution:** measures to restore an affected person or group to their original situation before the harm occurred (e.g. restoration of employment)
+ **Compensation:** measures to compensate for harm that can be economically assessed (e.g. physical or mental harm, or loss of earnings)
+ **Rehabilitation:** measures to facilitate a person's recovery, which may include medical or psychological care as well as legal and social services
+ **Satisfaction:** measures that may include cessation of abuse; an apology, including acceptance of responsibility; declarations restoring the dignity, reputation and rights of affected stakeholders; judicial sanctions; and symbolic remedies like commemorations
+ **Guarantees of non-repetition:** measures to avoid the recurrence of similar harms in the future (e.g. changes to policies or practices)[30].

Providing **access to remedy** means ensuring effective means of redress are accessible.

Currently, efforts in the tea sector to remediate SEAH mainly emphasise deterrence and prevention, with some rehabilitation; with financial settlements seemingly occurring only in court cases. Apart from a few cases of reinstating former employees who had been subject to SEAH, **there is insufficient focus on comprehensive redress – restitution, compensation, and satisfaction, for those directly and indirectly harmed**.



Why are apologies important?

Official apologies from business leaders serve multiple critical functions in the remediation process for SEAH cases. At the most fundamental level, they represent public acknowledgment of harm and institutional accountability, validating the victim-survivors' experiences and recognising the organisation's responsibility for both the incidents and their prevention. Apologies carry particular weight when delivered by senior leadership because they signal organisational commitment to addressing not just individual incidents, but systemic issues.

From a psychological perspective, well-crafted apologies can support victim-survivors' healing processes by countering the shame and self-blame that often accompanies SEAH experiences, while also helping restore dignity by shifting blame clearly to perpetrators and failing systems.

Effective apologies must go beyond mere expressions of regret to include explicit **acknowledgment of specific harms, clear acceptance of responsibility, concrete commitments to change, and genuine expressions of remorse.**

When delivered as part of a comprehensive remediation program, leadership apologies also serve broader cultural and systemic functions and can support a broader drive to change the company culture: they set clear ethical standards, demonstrate consequences for violations, encourage others to come forward, and mark a public commitment to organisational transformation.

However, apologies must be backed by concrete actions and systemic changes to be meaningful; without such follow-through, they can appear performative and potentially cause additional harm to victim-survivors.

Understanding Social Impact Measurement

During project discussions, a gap in social impact measurement expertise was observed.

Stakeholders universally recognised that continually monitoring progress and measuring impact (in processes aligned with HRDD) is essential for evaluating the effectiveness of actions and enabling evidence-based decisions. However, it emerged that the participating case study companies and others in the sector have overly relied on anecdotal feedback, on gut feeling or on assumptions about effectiveness of interventions when evaluating or seeking to determine impact. Where data is used to make evidence-based claims; too often the data relates to output-level indicators; with limited examples of assessment of outcomes; and almost no systematic qualitative assessment of wider long-term impact on workers and communities.

(It should be noted that two of the three participating case study companies are still in the relatively early stages of implementation and, as such, it is too soon to fully assess their impact measurement methods.)

Stakeholders asked – *how do we do it better?* and identified an opportunity to build their knowledge and skills on the theory and practice of measuring social impact.

> ***"Continually monitoring progress and measuring impact (in processes aligned with HRDD) is essential for evaluating the effectiveness of actions and enabling evidence-based decisions."***

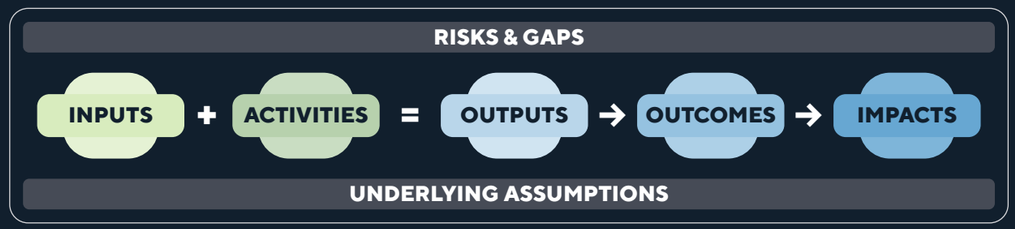
What is a Theory of Change?

A theory of change is a framework that articulates how an organisation expects to create meaningful social change. It explains the logic of how and why specific activities or interventions are expected to lead to success, by mapping out a clear chain of cause and effect between actions and results.

It begins by defining the ultimate social impact the organisation is seeking to achieve. From there, it works backward to identify what changes need to occur for that impact to be achieved; the specific activities or interventions that will create those changes; and the inputs or resources required to execute those interventions.

This chain provides a structure for setting measurable indicators to track progress at each stage.

The framework serves several critical purposes in social impact measurement. At the planning stage, it helps to align on strategic direction by making explicit the assumptions about how change happens; and enables effective intervention design by highlighting gaps in logic or resources. Later, the framework acts as an adaptive management tool; when analysis of indicator data identifies if interventions are working as intended or not. Finally, the framework provides a clear communicable structure for ascertaining effectiveness and reporting on the outcomes and impacts achieved.



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Understanding SEAH in the workplace as a behavioural issue

SEAH is a behavioural problem, but as yet behavioural interventions are lacking.

Identifying abuse of power as the key driver of SEAH is a big step in the right direction. To address it effectively, businesses need not only close the gaps in their processes and systems that create unequal power dynamics; but also seek to understand the psychological drivers of human behaviour – why perpetrators choose to abuse, and why bystanders allow it to occur.

The persistence of systemic SEAH, even despite efforts to combat it, is a **complex behavioural issue** based in calculated behaviours – not impulses – that are inspired by the organisational culture and practices. Understanding this requires examining both the **individual perpetrator psychology** and **collective behavioural norms**.

Further research should be conducted into psychological or behaviour change interventions to reduce problem behaviours (abuse of power; tolerance of systemic SEAH) and encourage desired behaviour (respect for women workers; willingness to call out abuse when observed).

Why is SEAH in the workplace considered a behavioural problem?

At the individual level, perpetrator psychology often includes abuse of authority, lack of empathy, and poor impulse control. Perpetrators typically follow predictable patterns: beginning by testing boundaries with minor violations, gradually escalating if unchallenged, and strategically selecting victims based on perceived vulnerability[31]. Their approach is reinforced by moral disengagement and victim-blaming, allowing them to rationalise their actions while maintaining a positive self-image[32].

Meanwhile, the normalisation[33] of minor harassment (as per the *Continuum of Sexual Violence pyramid*, page 11) is being reproduced collectively by everyone in the working environment, and possibly also being reinforced by social norms in wider society. In fact, the "normalisation process" may be strengthened by group-level psychological phenomena such as:

- **Pluralistic ignorance:** where individuals privately reject behaviour but assume others accept it
- **Conformity bias:** where people align with perceived group norms even when harmful[34]

Ongoing exposure to minor harassment and gender inequality gradually erodes organisational and individual resistance, making it harder for both victims and bystanders to challenge – or even to recognise – escalating patterns of abuse[35].

This strategic behaviour is particularly effective in environments with significant power imbalances and weak accountability mechanisms[36]. Therefore, businesses must recognise that **SEAH is a predictable behavioural response to certain environmental conditions**, not simply the inexplicable actions of certain "bad apples."



What is organisational culture?

Organisational culture comprises the shared values, beliefs, assumptions, and practices that shape individual and collective behaviour within an organisation. It essentially determines "how things are done around here" and which behaviours are rewarded, tolerated, ignored or punished.

It includes both visible elements (such as policies, procedures, and formal hierarchies) and invisible elements (such as unwritten rules, power dynamics, and accepted behavioural norms). Sometimes the invisible elements may clash with or contradict the visible elements.

Combined, these elements produce the lived experiences of those working in the business.

The key components that shape organisational culture are deeply interconnected:

- Leadership behaviours and priorities set the tone from the top
- Power structures and decision-making processes determine whose voices are heard and how resources are allocated.
- Communication patterns and information flow influence transparency and trust
- Reward systems and incentives signal what the organisation truly values
- Attitudes toward accountability and transparency indicate to what extent transgressions will be tolerated
- Gender dynamics and power relations place individuals into positions of relative power and vulnerability
- Informal networks and relationships either challenge or reinforce the official processes and systems.

Organisational cultures do not exist in isolation but are deeply influenced by and interconnected with **broader societal norms, beliefs, and power structures**. In the context of SEAH, organisational cultures often reflect and amplify problematic societal attitudes about gender, power, and sexuality. Tea estates present particularly complex examples of the interplay between internal organisational culture and broader societal culture, due to the "estate" model, where workers and their families live within the boundaries of the estate. The hierarchical workplace management structures leak into the social sphere; while powerful social and cultural norms – such as traditional gender roles – become enmeshed within the working environment.

> ***"The persistence of systemic SEAH, even despite efforts to combat it, is a complex behavioural issue."***



Understanding organisational culture

Limited knowledge and understanding of the concept of organisational culture – and its relevance to the challenge of persistent SEAH – was observed as a significant barrier in the effective implementation of strategies to address SEAH.

Understanding and examining the organisational culture is critical when addressing systemic SEAH in the workplace because it creates the internal atmosphere in which such behaviour either persists or is suppressed. In organisations where sexual violence has become systemic, the culture typically – implicitly or explicitly – has normalised inappropriate behaviour while protecting perpetrators in positions of power.

Necessarily a long-term process, rather than attempting a wholesale cultural transformation immediately, organisations should pursue incremental progress in culture change, with small early wins, gradually building momentum and continuously reinforcing new cultural norms. **Private sector actors should invest in upskilling on organisational culture and on change management.**

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Transforming Tea: Making the Supply Chain a Safer Space

The persisting problem of SEAH demands a comprehensive response of coordinated interventions across all three levels: individual, organisational, and societal causes.

While successful implementation will require diverse stakeholders with varied expertise, private sector actors – from tea producers to packers and retailers – are uniquely obliged and positioned to drive change through their market leverage, employee engagement, stakeholder collaborations, and resource deployment.

However, these interventions can only succeed if supported by fundamental cultural transformation within the organisations themselves. Companies throughout the supply chain must critically examine their internal practices and organisational values to create a culture of equality and an environment conducive to meaningful change.

ACHIEVING ORGANISATIONAL CULTURE CHANGE

Transforming organisational culture needs a sustained approach that operates at multiple levels simultaneously, addressing visible and invisible elements of culture.

ELEMENTS OF A CULTURE CHANGE STRATEGY:

LEADERSHIP COMMITMENT

At its foundation must be genuine leadership commitment and belief in gender equality. This means more than just verbal support – leaders must demonstrate visible, consistent commitment to zero tolerance for SEAH, role model appropriate behaviour, allocate necessary resources, and hold themselves personally accountable for change. Perhaps most challengingly, they must be willing to confront powerful individuals who resist change.

SURVIVOR-CENTRED APPROACH

Central to any cultural transformation addressing sexual violence must be the survivor-centered approach. Organisations must move beyond viewing victim-survivors merely as sources of information for investigations or problems to be managed, and instead position them as key stakeholders in developing solutions.

STRUCTURAL CHANGES

The transformation process demands fundamental structural changes throughout the organisation. This includes reforming governance structures, revising policies and procedures, implementing robust reporting mechanisms, and creating truly independent investigation processes.

POWER REDISTRIBUTION & CAPACITY-BUILDING

One of the most essential elements of cultural transformation is the redistribution of power within the organisation. This requires increased representation of women in leadership positions and reformed decision-making processes that enhance worker voice and agency. Organisations must create independent channels for raising concerns and implement strong protection mechanisms for vulnerable groups. To support these structural changes, comprehensive capacity-building is essential.

ACCOUNTABILITY MECHANISMS

For cultural change to be sustainable, robust accountability mechanisms must be established and maintained. Regular culture assessments, monitoring of key indicators, and independent oversight provide the framework for measuring and maintaining progress.

UTILISATION OF SOCIAL LEVERAGE

The interconnection between organisational culture and broader societal culture can be leveraged positively – organisations can serve as catalysts for broader societal change.

When businesses champion gender equality and demonstrate that sexual violence will not be tolerated, they help challenge harmful societal norms. Progressive organisational cultures can create "islands of change" that influence other organisations and provide models for wider social transformation. This is particularly powerful when organisations actively engage with their communities, support women's empowerment beyond their own operations, and collaborate with local authorities or civil society organisations working on gender inequality and SEAH. Successfully addressing sexual violence therefore requires understanding and working at both organisational and societal levels, recognising that sustainable change in one domain helps enable and reinforce change in the other.

ADDRESSING RESISTANCE & OVERCOMING ENTRENCHED INTERESTS

Resistance to change, particularly from those who benefit from the existing culture, requires careful management. When powerful individuals benefit from maintaining the status quo, organisations must deploy a strategic combination of extra pressures and incentives to drive change:

- Externally, this may mean leveraging board members, shareholders, media attention, and market expectations while ensuring regulatory compliance.
- Internally, success depends on building strong coalitions across the organisation, from identifying and supporting change champions to creating cross-functional working groups and engaging middle management as allies.

This coalition-building must be supported by meaningful incentives and robust evidence demonstrating both the costs of maintaining the current culture and the business benefits of change, backed by regular measurement and independent verification of progress.

UNDERSTANDING TIMEFRAMES AND RATE OF CHANGE

Attempts to force change too quickly may result in superficial compliance rather than genuine cultural transformation, while moving too slowly risks losing momentum and credibility.

Transforming organisational culture, particularly around deeply embedded issues like sexual violence, typically requires 3-5 years at minimum for meaningful change to take root, and 5-10 years for complete cultural transformation (influenced by factors such as organisational size, geographic spread, and the strength of existing power structures)[37]. This should be accounted for in any "Theory of Change" or associated impact measurement indicators.

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CHAPTER 4:

Recommendations

“The tea industry as a whole needs a shake-up”

First and foremost, the tea industry must confront a critical reality: SEAH is a salient human rights risk that threatens the sector’s sustainability. Acknowledging its scale and impact is the first step toward meaningful change.

Resistance and scepticism about the extent of the problem – which remains abundantly clear from some stakeholders in the sector – is a barrier to finding long-term solutions and interventions. Without industry-wide recognition, efforts to address SEAH will remain inadequate.
The following high-level recommendations are aimed at producers, packers and retailers, but may also be useful for other actors in the supply chain.

HIGH-LEVEL RECOMMENDATIONS FOR THE INDUSTRY

1. Private sector actors should ensure gender-responsive HRDD is adopted and embedded in their own operations and across the supply chain, combatting over-reliance on audits and certifications.

PRODUCERS:

- Adopt gender-responsive human rights due diligence (GR-HRDD) systems and processes to identify, prioritise, respond to, measure and report on SEAH and other human rights risks and impacts. Use multiple sources and methods to identify and address the risks and impacts; recognising that risks and impacts are experienced differently by women and men. Ensure the voices of rightsholders are included. Extend this approach beyond own operations to ensure risks among smallholders and other suppliers are identified and addressed.

PACKERS & RETAILERS:

- Incorporate comprehensive gender-responsive HRDD activities to proactively identify and address SEAH and other human rights risks in your own operations and across global supply chains. Such activities go beyond audits and certification schemes.
- Support producers in integrating gender-responsive HRDD by setting standards; clearly communicating expectations; incentivising transparency; providing training, capacity-building and/or resources; and working with producers to respond when an issue arises.

2. All actors should combat unequal power dynamics, and reflect on their own positions to ensure power (leverage) is used responsibly

PRODUCERS:

- Examine where power is held and how it is used by the business and by individuals within and around it.
- Address the imbalance of power between management and workers by fostering effective worker representation structures.
- Ensure concentrations of authority within formal management structures are addressed to combat unequal power dynamics between individuals.
- Proactively safeguard vulnerable workers and address the drivers that make workers vulnerable to SEAH.

PACKERS/RETAILERS:

- Examine where power is held and how it is used by the business and by individuals within and around it.
- Re-evaluate buyer-supplier relationship management. Ensure leverage is used responsibly. Commit to paying fair prices that cover production costs; embed responsible purchasing practices; and where feasible make long-term purchasing commitments.
- Seek to bridge gaps between priorities of ethical trade teams and commercial / purchasing teams and recognise where existing purchasing practices have directly or indirectly contributed to the causes of SEAH or other issues in the supply chain.

3. Build trust; listen; and be transparent

PRODUCERS:

- Build trust with worker committees, unions, community leaders and representatives and community-based organisations (CBOs) by engaging them transparently, actively listening to their concerns, and providing regular feedback on initiatives. Strengthen this trust by recognising and amplifying the voices of workers and community members. Collaborate with stakeholders to develop effective communication strategies and co-design interventions that address the root causes of SEAH, including gendered social norms and attitudes.

PACKERS & RETAILERS:

- Build trust and transparency with producers – and with each other – by fostering open dialogue, actively listening to their challenges on the ground, and understanding their challenges in addressing systemic issues such as SEAH. Use the leverage buyers have in the buyer-supplier relationship responsibly by incentivising disclosures, encouraging and rewarding transparency and being proactive by investing in collaborative projects.

4. Adopt a systemic approach to understanding and addressing SEAH.

PRODUCERS:

- Address SEAH effectively by combatting the root causes on the level of individuals, your business and the wider community context, linking internal challenges to external factors.
- Recognise the long-term timeframe required to achieve systemic change.
- Collaborate with other actors, including buyers and non-private sector stakeholders, to design joint interventions, co-fund projects, and implement programs that address SEAH’s root causes and support women’s economic empowerment.
- Consider, where multiple companies operate in one area, collaborating with other private sector actors to undertake joint Human Rights Impact Assessments (HRIAs) to determine the issues faced by the tea-producing communities and co-develop interventions.

PACKERS/RETAILERS:

- Acknowledge that systemic issues such as SEAH require a long-term commitment to change, and the desired impact cannot be achieved overnight.
- Consider collaborating with producers and other private sector actors on joint Human Rights Impact Assessments (HRIAs), and co-developing interventions.
- Retailers should also co-fund initiatives, work with non-private sector stakeholders, and consider premiums to support programs promoting economic empowerment and tackling SEAH collaboratively.

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5. Increase knowledge and understanding of workplace SEAH across the industry

PRODUCERS & PACKERS & RETAILERS:

- Invest in understanding SEAH in the workplace and across the industry by utilising existing data, supporting further research, and seeking external expertise for stakeholder engagements, assessments, and specialised guidance on the context-specific aspects of SEAH, gender inequality, HRDD, and social impact measurement.

6. Understand the role of organisational culture. Seek to embed gender-equal organisational culture, and undertake long-term cultural transformation (where required)

PRODUCERS & PACKERS & RETAILERS:

- Assess and evaluate internal organisational culture to determine if the culture is one of gender equality, dignity and respect. Transformation demands an honest reflection on the organisation's culture and a commitment from senior leadership to implement activities that are specifically tailored to achieve the organisation's transformation goals. See page 38 for more details on achieving organisational culture.

7. Commit to undertaking a proportionate share of the responsibility to address systemic SEAH

PRODUCERS:

- Producers are directly responsible for addressing SEAH in their businesses and should act accordingly. They should also seek to meet the expectations of HRDD (and upcoming HRDD legislation) by disclosing issues of SEAH transparently to buyers and proactively seek collaboration.

PACKERS & RETAILERS:

- Evaluate leverage and connection to identified SEAH risks and impacts, and act accordingly. This includes conducting comprehensive due diligence, supporting suppliers with gender-responsive HRDD, fostering transparency, collaborating on interventions targeting root causes, and contributing to agreed remediation (financial and/or non-financial).

8. Seek to understand remediation & deliver sufficient access to remedy

PRODUCERS & PACKERS & RETAILERS:

- Expand understanding of remediation, and effective remedy for SEAH.
- Where harm has occurred, extend the focus of remediation to redress and restitution for victim-survivors. This includes acknowledging the long-term psychological and social impacts of SEAH on both direct and indirect survivors, as well as on the wider community. Balance restorative interventions with preventive measures.
- When appropriate, apologise.
- Consider funding or co-funding research to further understand the psychological and social impacts of SEAH and identify innovative ways to counteract such extended harms.

9. Improve knowledge, capacity and skills for monitoring and measuring social impact

PRODUCERS & PACKERS & RETAILERS:

- Upskill internally or seek external advice and training, to improve industry knowledge and capacity.

PRODUCERS:

- Upskill internally or seek external advice and training, to improve industry knowledge and capacity.
- Develop robust social impact measurement frameworks and KPIs that evaluate interventions at output, outcome, and impact levels, ensuring alignment with a clear theory of change. Impact should be measured at the level of the worker most vulnerable to SEAH.
- Maintain momentum through regular evaluations and evidence-based adjustments.

PACKERS & RETAILERS:

- Upskill internally or seek external advice and training, to improve industry knowledge and capacity.
- Place social impact measurement at the core of interventions by co-developing (and/or funding) comprehensive frameworks with producers, ensuring alignment with shared objectives and theory of change principles.

10. Recognise the synergy to be gained in collaborating with other stakeholders (competitors and peers as well as those adjacent to the supply chain)

PRODUCERS:

- Foster collaborative relationships within organisations, with buyers and suppliers, and with external stakeholders, including unions, NGOs, and local institutions like police and healthcare providers. By working together, sharing knowledge, and jointly addressing SEAH, producers can strengthen their impact and ensure a holistic approach to prevention, support, and remediation.

PACKERS & RETAILERS:

- Actively participate in and support multi-stakeholder initiatives (MSIs) that bring together private sector actors, government bodies, and civil society to address cultural norms around gender-based violence (GBV) and promote systemic change within the tea sector. These initiatives can provide a platform for developing industry-wide solutions, such as research on disciplining alleged perpetrators of SEAH in the absence of a criminal conviction and creating guidelines to help businesses handle such issues responsibly. By collaborating in MSIs, retailers and packers can contribute to a broader societal effort to reduce GBV and improve the overall integrity and sustainability of the sector. Use leverage responsibly.

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Conclusion & Looking Forward

The five-year period between 2020-2024 has been transformative for the tea industry's approach to addressing SEAH.

The five-year period between 2020-2024 has been transformative for the tea industry's approach to addressing SEAH. The three participating case study companies have demonstrated an evolution in their understanding and management of this critical issue, showing a profound shift in maturity as they moved from compliance-focused approaches toward more comprehensive, systemic interventions. Their steep learning curve has positioned them - and the industry - to tackle the deeper changes required for lasting transformation. This evolution is particularly evident in the changing dynamics of buyer-supplier relationships, which have begun to move away from formerly hierarchical compliance models toward more collaborative partnerships focused on shared responsibility and sustainable solutions.

The exposure of systemic SEAH through high-profile cases has brought gender equality into sharp focus as a salient human rights issue for the industry. Those driving the work to address it - from producer companies to ETP, other industry bodies and beyond - need to be championed, resourced, and supported.

The path forward will be challenging. Success demands action at multiple levels simultaneously - from addressing individual behaviours and reforming organisational cultures to challenging broader societal norms. No single actor can achieve this alone. Producers, packers, retailers and other stakeholders must work together, pooling their resources, expertise and influence to create meaningful change. This includes confronting difficult commercial realities that contribute to worker vulnerability, while investing in innovative approaches to prevention, reporting and remediation.

To the leaders of the tea industry - CEOs, Board members and senior executives across the supply chain - this is the opportunity to shape impactful and lasting change. Surface-level interventions and short-term fixes will not suffice. What is needed is genuine commitment to organisational culture change, backed by sustained investment in gender-responsive HRDD, and authentic collaboration with others facing similar challenges. Strong leadership in championing these deeper changes will be important in making the tea supply chain a safer space for all who work within it.

With coordinated effort and shared responsibility, the tea industry can build on recent progress to create lasting positive change. This report provides an opportunity to learn important lessons from companies in the private sector. It deepens our understanding of how to effectively respond to both the direct and underlying causes of SEAH, offering valuable insights to guide action that protects people and transforms tea.

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USEFUL RESOURCES & FURTHER READING

- **On Human Rights Due Diligence:** UN Guiding Principles on Business and Human Rights
- **On gender-responsive Human Rights Due Diligence:** Steps for implementing GRDD
- **On culture change and social norms affecting SEAH:**
  - What will it Take? Promoting Cultural Change to end Sexual Harrassment
  - What Works? Preventing & Responding to Sexual Harassment in the Workplace: A Rapid Review of Evidence
- **Resources for addressing SEAH in the workplace:**
  - Addressing Gender-Based Violence and Harassment: Emerging Good Practice for the Private Sector
  - Handbook: Addressing violence and harassment against women in the world of work
  - Gender Based Violence in Global Supply Chains: Resource Kit
  - A Global Women's Safety Framework in Rural Spaces: Informed by experience in the tea sector
  - Guide to Support the Implementation of the Global Women's Safety Framework
- **On grievance mechanisms for sexual harassment:** How to support your company to...Establish and manage a worker grievance mechanism for sexual harassment
- **On access to remedy:**
  - Access to Remedy: Practical guidance for companies
  - Access to remedy in cases of business-related human rights abuse: An Interpretive Guide
- **On economic empowerment:** 7 Principles of Women's Empowerment Principles

ENDNOTES

[1] BBC News Africa. (2023) Panorama. Sex for Work: The True Cost of our Tea [video] Available here: Sex for Work: The True Cost of Our Tea - BBC Africa Eye Documentary

[2] BBC News Africa (2023)

[3] UN Women. (2020). Bridging the gap: Sexual exploitation, abuse and harassment (SEAH). Available at: https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2020/Discussion-paper-Sexual-exploitation-abuse-and-harassment-SEAH-en.pdf

[4] United Nations (2003). Secretary General's Bulletin: Special Measures for Protection from Sexual Exploitation and Sexual Abuse, UN Doc. ST/SGB/2003/13. Available at: https://undocs.org/ST/SGB/2003/13

[5] United Nations (2003)

[6] Equality Now. (2024) Sexual Violence: Not just a Woman's issue (website) Available here: Sexual Violence: Not just a Woman's issue - Equality Now

[7] As per the ILO Convention 190 the "world of work" refers to all environments, activities, and contexts linked to employment, including the workplace itself (both public and private spaces), employer-provided accommodations, work-related travel, events, training, and social activities, as well as work-related communications and commuting to and from work (https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190)

[8] MacKinnon, C. (1979). "Sexual Harassment of Working Women"; McLaughlin, H., Uggen, C., & Blackstone, A. (2012). Sexual harassment, workplace authority, and the paradox of power. American Sociological Review, 77(4), 625-647. https://doi.org/10.1177/0003122412451728

[9] World Bank (2023) Addressing gender-based violence as a pathway for economic growth, inclusion, and prosperity in Türkiye (website). Available here: Addressing gender-based violence as a pathway for economic growth, inclusion, and prosperity in Türkiye; World Bank (2019) Gender-Based Violence (Violence Against Women and Girls) (website) Available here: https://www.worldbank.org/en/topic/socialsustainability/brief/violence-against-women-and-girls#:~:text=In%20some%20countries%2C%20violence%20against%20women%20is%20estimated,also%20entails%20a%20significant%20cost%20for%20the%20future.

[10] World Health Organization. (2021). Violence against women prevalence estimates, 2018: Global, regional and national prevalence estimates for intimate partner violence against women and global and regional prevalence estimates for non-partner sexual violence against women. Available here: https://www.who.int/publications/i/item/9789240022256

[11] Kenya Human Rights Commission, A Comparative Study of the Tea Sector in Kenya: A Case Study of Large Scale Tea Estates, 2008

[12] ETP. (2021). Women in Tea: FactSheet

[13] Thirst and Women Working Worldwide (2023) GBVH Risk Factors in Tea

[14] ILO, (2018) Spotlight on sexual violence and harassment in commercial agriculture: Lower and middle income countries. Available here: https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@inst/documents/publication/wcms_630672.pdf

[15] THIRST. (2023). Human rights in the tea sector: The big picture - Part 2: Analysis of the root causes. Available here: https://thirst.international/wp-content/uploads/2023/12/THIRST_HRIA_Root_Causes_Final_19-12-2023.pdf

[16] THIRST (2022) Human Rights in the Tea Sector: The Big Picture. Part 1 – Literature Review (full report) Available here: https://thirst.international/wp-content/uploads/2022/05/THIRST_HRIA_Lit_Review_Final.pdf

[17] Mazrif et al, (2017). Domestic violence: a cross-sectional study among pregnant women in different regions of Sri Lanka, . Available at: https://bmjopen.bmj.com/content/bmjopen/8/2/e017745.full.pdf

[18] Oxfam (Frankethal I & Dutta, D), (2021). Risk factors for Gender-based Violence: The case of Indian Agriculture. Available here: https://oxfamilibrary.openrepository.com/bitstream/handle/10546/621301/rr-risk-factors-for-gender-based-violence-081021-en.pdf?sequence=1

[19] ETP, "Equality" available here: https://etp-global.org/our-strategy/equality/

[20] Cambridge Dictionary (2024) Power (website) Available here: https://dictionary.cambridge.org/dictionary/english/power#google_vignette

[21] Kantor, J., & Twohey, M. (2019). She said: Breaking the sexual harassment story that helped ignite a movement. Penguin Publishing Group.

[22] Ethical Trading Initiative, Gender responsive HRDD, available at: Gender-responsive HRDD | Ethical Trading Initiative

[23] UNFPA. (2023). Gender-transformative approaches to achieve gender equality and sexual and reproductive health and rights: TECHNICAL NOTE available at: UNFPA_GTA-2023.pdf

[24] Marcus, R., Samuels, F., Jalal, S., & Belachew, H. (2022). Gender-transformative programming (Background Paper Series: UNICEF Gender Policy and Action Plan 2022-2025). UNICEF.

[25] Wieberneit, M., Thal, S., Clare, J., Notebaert, L., & Tubex, H. (2024). Silenced survivors: A systematic review of the barriers to reporting, investigating, prosecuting, and sentencing of adult female rape and sexual assault. Trauma, Violence, & Abuse, 1-17. https://doi.org/10.1177/15248380241261404

[26] United Nations Office of the High Commissioner for Human Rights. (2011). Guiding principles on business and human rights: Implementing the United Nations "Protect, Respect and Remedy" framework. United Nations.

[27] Kimotho, W., & Ogol, D. (2021). Exploring the drivers of gendered grievance mechanisms: examples from the agribusiness, extractive and wind power sectors in Kenya. Impact Assessment and Project Appraisal, 39(3), 240-250. https://doi.org/10.1080/14615517.2021.1906020

[28] International Finance Corporation. (2020) Addresing Gender Based Violence and Harassment: Emerging Good Practice for the Private Sector. World Bank Group. Available here: . https://www.ifc.org/en/insights-reports/2020/publications-gpn-addressinggbvh#:~:text=Jointly%20commissioned%20by%20IFC%2C%20the%20European%20Bank%20for,addressing%20gender-based%20violence%20and%20harassment%20%28GBVH%29%20in%20operatio

[29] International Finance Corporation. (2021). Tipsheet: How to support your company to establish and manage a worker grievance mechanism for sexual harassment. World Bank Group. Available here: https://www.ifc.org/addressinggbvh

[30] United Nations Office of the High Commissioner for Human Rights. (2024). Access to remedy in cases of business-related human rights abuse: An interpretive guide (HR/PUB/24/1). United Nations.

[31] Cortina, L. & Berdahl, J. (2008). Sexual Harassment in Organizations: A Decade of Research in Review. Handbook of organizational behavior. 10.4135/9781849200448.n26.

[32] Bandura, A., Caprara, G.-V., & Zsolnai, L. (2000). Corporate Transgressions through Moral Disengagement. Journal of Human Values, 6(1), 57-64. https://doi.org/10.1177/097168580000600106

[33] Lundgren, E. (2004) The Process of Normalizing Violence. National Organisation of Women's Shelters and Youg Women's Shelters In Sweden, Stockholm, Sweden.

[34] Banyard, V., Weber, M.C., Grych. J, & Hamby, S. (2016) Where are the helpful bystanders? Ecological niche and victims' perceptions of bystander intervention. Journal of Community Psychology. 44(2), 214 -231.

[35] UN Women (2019). What will it take? Promoting cultural change to end sexual harassment. UN Women. Available here: https://knowledge.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2019/Discussion-paper-What-will-it-take-Promoting-cultural-change-to-end-sexual-harassment-en.pdf

[36] Mueller, C. W., De Coster, S., & Estes, S. B. (2001). Sexual Harassment in the Workplace: Unanticipated Consequences of Modern Social Control in Organizations. Work and Occupations, 28(4), 411-446. https://doi.org/10.1177/0730888401028004003

[37] Kotter, J. P. (2012). Leading Change. Harvard Business Review Press

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Appendix 1. Crisis Response – Critical Success Factors: Key Activities

CRITICAL SUCCESS FACTOR	KEY ACTIVITIES MAY INCLUDE
Leadership & Governance	• Establishing a dedicated crisis response team with clear roles and responsibilities; combining operational level implementers, worker representatives, and oversight from executive or Board level. • Creating a clear governance framework that outlines the oversight mechanisms and decision-making procedures. • Ensuring senior leadership remains visible and informed throughout • Demonstrating commitment through resource allocation. If utilising a multi-stakeholder approach; discussing & agreeing any shared resourcing and funding • Making quick and efficient decisions • Issuing formal acknowledgments and apologies where appropriate
Primary Supports to Victim-Survivors	• Acknowledging the harm & issuing an apology • Ensuring psychosocial counselling is provided (on or off site) • Ensuring medical care, where needed, is available and provided by suitably trained professionals • Offer legal assistance if needed • Ensure victim-survivors are supported by advocates to participate in medical, legal, judicial and other follow-up processes • Arranging social welfare supports, as required (e.g. childcare or a safehouse) • Protecting victim-survivors from retaliation • Making appropriate workplace accommodations, e.g. arranging for a period of leave to recover; then changing tasks or activities; shift patterns; or working locations. • Remediating appropriately
Safeguarding	• Implementing immediate protective measures to prevent further harm – the context will determine the appropriate actions • If not already in place, establishing whistleblowing and grievance reporting mechanisms. If already in place, reviewing their effectiveness and encouraging workers and others to use them to report • Creating safe spaces for victim-survivors • If not already in place, considering introducing an independent Welfare Team staffed with professional social workers and counsellors
Punitive actions against Perpetrators	• Collecting and documenting evidence and witness statements securely; recording all actions and decisions; and maintaining confidentiality • Consulting with legal experts and authorities, as needed • Implementing sanctions promptly e.g. immediate removal from positions of power; suspension / termination of employment where warranted; referral to authorities. • Communicating outcome clearly (to perpetrator and to victim-survivor) • Tracking cases and their outcomes

CRITICAL SUCCESS FACTOR	KEY ACTIVITIES MAY INCLUDE
In-depth external assessment	• Engaging subject matter experts, e.g. gender experts and social researchers with knowledge of trauma-informed approaches • Ensuring the methodology is rigorous • Ensuring the approach is rightsholder-centred, with primacy given to testimony about lived experiences. This will likely require extensive engagements (interviews and focus group discussions) with workers, managers and other rightsholders; and may also require engagement with union representatives or other workplace leaders, as well as local community leaders and/or CSOs. • Being transparent, providing all requested documentation and data and otherwise supporting the assessment process as required; respecting the independence and objectivity of the research team.
Remediation	• If not already in place, creating and communicating a remediation framework, including a definition, guidelines and clear procedures for accessing remedy. • Determining suitable individual and collective remediation measures that address immediate and long-term needs • Ensuring cultural appropriateness • Monitoring effectiveness • Maintaining ongoing engagement with affected individuals and groups • [See page 34 for more details on understanding remediation and access to remedy]
Planning & Implementing Actions	• Setting clear overarching objectives – i.e. defining the impact you seek to achieve. Use a theory of change model to map out the required activities and interventions you expect will lead to the desired impact. Use this model to test your assumptions, gaps and biases in the "results chain" and to inform the setting of metrics. • Developing detailed action plans with clear timelines; roles & responsibilities; and success metrics (i.e. define inputs, activities, outputs, outcomes and impacts and how to measure them) • Seeking input from rightsholders and subject-matter-experts on what actions/interventions to adopt • Addressing both immediate and systemic issues • Include measures to address the root causes identified through the in-depth assessment. (Note: Where root causes have not been sufficiently identified or understood, an appropriate action may be to undertake further research or learning.) • Ensuring actions are gender-responsive • Building in regular review points to monitor progress • Implementing the plan

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Appendix 1. Crisis Response – Critical Success Factors: Key Activities

CRITICAL SUCCESS FACTOR	KEY ACTIVITIES MAY INCLUDE
Monitoring, Evaluation & Impact Measurement	• During action planning, developing an overarching impact measurement framework with gender-sensitive progress indicators at output, outcome, and impact levels • Creating and implementing a monitoring plan that outlines roles, responsibilities, processes and frequencies for the regular collation and analysis of quantitative and qualitative data • Establishing baseline data • Conducting periodic evaluations and assessments; seeking external experts to conduct independent third-party assessments to determine social impact. • Documenting lessons learned • Sharing findings with relevant stakeholders • Where analysis of monitoring data indicates something is not effective, adapting the plan.
Worker engagement	• Continuing with or adapting regular employee touchpoints, while incorporating updates about the crisis response, e.g.: > daily or weekly meetings; noticeboards or digital platforms > regular (i.e. previously planned) awareness campaigns > planned existing gender programming, such as training on SEAH. > utilising existing worker committees or other representative structures to establish fora for two-way dialogue, to gain real-time feedback from workers during the crisis response phase. • New "crisis response" communications and touchpoints, such as issuing a formal apology to all employees; scheduling meetings to brief workers on the crisis response; inviting employees to participate in surveys, interviews, workshops or other engagements as part of research and action-planning.
Stakeholder engagement – External stakeholders	• Conducting stakeholder mapping and prioritisation • Making initial notifications / disclosures to key buyers, and others as required • Developing confidentiality agreements, where required • Doing initial outreach and relationship-building (where no pre-existing relationship) • Giving regular briefings/progress updates • Soliciting guidance, knowledge & experience sharing from external stakeholders • Facilitating and liaising with the multi-stakeholder governance / advisory group – who provide guidance, support and direction on all elements of the response.

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