
Responsible Jewellery Council (RJC)

COP 6 Human Rights Due Diligence Auditor Checklist

Introduction:

This checklist is designed as a resource to equip auditors with a breakdown of requirements and corresponding verification guidance to verify compliance with the Code of Practices (COP) provision 6 Human Rights. The intent behind the verification of this provision is to ensure members have human rights due diligence processes in place to meet the COP requirements. It is not to evaluate the effectiveness of these processes.

The checklist includes the following elements:

- **Requirements:** A breakdown of the requirements per sub-provision of COP 6.
- **Verification guidance:** Recommended documents auditors can use to verify compliance for each requirement.
- **Special instructions based on the type of member and audit:** This gives additional guidance for example to help with verification of small-to-medium sized enterprises (SMEs), initial and follow-up audits when special considerations are needed.

Conformance ratings and applicability:

Auditors must:

- Use the conformance ratings defined in the Assessment Manual;
- Verify the members' existing management systems using the defined requirement.
- Note that COP 6 is applicable to all RJC members within the jewellery supply chain.

Additional resources:

Members and auditors are advised to consult the COP 6 section in the 2019 COP Standards Guidance document, and refer to the following resources to build their understanding of Human Rights Due Diligence requirements:

- UN Human Rights. What are Human Rights?
www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx
- UN Guiding Principles Reporting Framework. Human Rights Due Diligence.

www.ungpreporting.org/glossary/human-rights-due-diligence/

- UN Human Rights. Frequently Asked Questions About the Guiding Principles on Business and Human Rights (2014). https://www.ohchr.org/documents/publications/faq_principlesbusinesshr.pdf
- The Corporate Responsibility to Respect Human Rights. An Interpretive Guide. www.ohchr.org/Documents/Publications/HR.PUB.12.2_En.pdf

Checklist:

Verifying compliance with COP 6.1

COP 6.1 UN GUIDING PRINCIPLES

Members shall respect human rights by considering all potential and actual impacts in their operations and business relationships. They shall also commit to and implement the UN Guiding Principles on Business and Human Rights as appropriate to their size and circumstances.

- This provision includes four sub-provisions (6.1a, 6.1b, 6.1c, 6.1d) that members must comply with to demonstrate full conformance with COP 6.1.
- Auditors must assess the conformance of each requirement:
 - 6.1a: The member has a public commitment to human rights which is endorsed at the highest level of the business.
 - 6.1b: The member performs human rights due diligence.
 - 6.1c: The member has a remedy process (grievance mechanism).
 - 6.1d: The member publicly communicates with stakeholders about their engagement on human rights issues.
- Minor and major non-conformances may be raised against any or all of these sub-provisions. Provide detail and clarity for each of your findings in the audit report, especially in cases where SMEs do not have written documentation in place at their initial audit and compliance is verified through interviews.

Verifying compliance per sub-provision

COP 6.1 (A): WRITTEN POLICY A policy commitment, endorsed at the highest level of the member’s organization, to respect human rights within its operations and business relationships; and procedures for implementing the policy in alignment with COP 2 (Policy and Implementation). The policy can also be incorporated into the policy developed for COP 7 on Due Diligence.		
Requirement: <i>The member can provide a policy/policies that contain(s) the following evidence:</i>	Verification guidance: The member can provide a policy/policies that contain the following evidence:	Additional guidance:
1. Includes a commitment to human rights	The policy can be either a standalone document or part of another policy.	<u>SMEs:</u> <ul style="list-style-type: none"> For an initial audit if there is not a physical document available, this can be assessed in the interview SMEs are expected to produce a written document that can be verified during a future audit.
2. Is endorsed by the highest level of the member’s organisation	Proof could be: <ul style="list-style-type: none"> A statement signed off by the highest member of management; Language in the policy stating the highest level of management has approved it; A physical signature from the highest member of management. 	

<p>3. Is publicly available</p>	<p>The policy is disclosed publicly such as either being published on the member’s website or in an external document, like a sustainability report.</p>	<p><u>SMEs:</u></p> <ul style="list-style-type: none"> • If the member doesn’t have a website, it needs to demonstrate that an alternative process exists to make it available upon request
<p>4. Includes procedures with defined roles and responsibilities to support the implementation</p>	<p>Internal or external documents are available that outline procedures and responsibilities for implementing the policy. Evidence could include:</p> <ul style="list-style-type: none"> • A Sustainability Report; • Modern Slavery Act Statement; • An organisational chart; • Defined internal roles and responsibilities such as job descriptions. 	<p><u>SMEs:</u></p> <ul style="list-style-type: none"> • For an initial audit if a physical document is not available, this can be addressed in the interview • SMEs are expected to produce a written document for their next audit
<p>5. Is communicated to all internal and external stakeholders</p>	<p>Evidence that the member has communicated these policies to employees and others (e.g. web pages, office posters, intranet pages, letters, contracts, sustainability or annual reports).</p>	

COP 6.1 (B): HUMAN RIGHTS DUE DILIGENCE A human rights due diligence process to identify, prevent, mitigate and account for adverse human rights impacts that are connected to their business.		
Requirement: The member can demonstrate the scope includes both its supply chain and internal operations and includes the following steps:	Verification guidance:	Additional guidance:
1. Assessing actual and potential human rights impacts	Evidence that the member has carried out human rights due diligence, e.g. documented assessments, completed versions of the RJC Human Rights Due Diligence Toolkit, meeting minutes, internal management reports. A defined process documented in: External reports, internal presentations, meeting minutes, defined in roles and responsibilities in job descriptions; Results from a risk assessment; Media and expert reports to support risk identification	<p><u>SMEs:</u></p> <ul style="list-style-type: none"> • Not all members have the time and resource to conduct a standalone risk assessment. • To comply with this COP requirement, there should be evidence of dedicated research and an awareness of human rights impacts along the supply chain and internally. • This can either be evidenced in written form or by showing a collection of evidenced efforts, together with management interviews to help gauge the member’s knowledge and awareness. <p><u>For all re-certification audits:</u> The member will need to demonstrate it has continued its human rights due diligence activities and communicated an update based on those activities since the last audit</p>

<p>2. Integrating and acting upon the findings</p>	<p>Records of any remediation actions taken, including internal progress reports, communications with affected parties and other staff, photos, training sessions</p>	<p><u>SMEs:</u></p> <ul style="list-style-type: none"> • If the member doesn't have a dedicated action plan, there should be some evidence of actions being taken to tackle certain risks • This could be through membership in an industry association, attending specific events and subsequently using the learnings to inform internal action. A member could show meeting minutes or documents that evidence this approach.
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<p>3. Tracking responses</p>	<p>This can be demonstrated through defined metrics and/or milestones to track progress of the action plan and reporting against activities. These could be documented in project plans, internal documents, meeting minutes, external reports or documents like sustainability reports, human rights impacts or web site content.</p>	<p><u>SMEs:</u></p> <ul style="list-style-type: none">• Even if the member doesn't have a specific strategy in place, it should be able to show that its actions are not ad-hoc but of a structured nature• This can be evidenced through a timeline or an agenda with actions being planned in advance.
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COP 6.1 (C): REMEDY PROCESS Where members have caused, contributed or been linked to adverse human rights impacts in their operations or business relationships, they shall provide for or support legitimate processes to enable the remedy of those impacts.		
Requirement:	Verification guidance:	Additional guidance:
1. Where the member may have caused, contributed or been linked to adverse human rights impacts, it provides legitimate processes to remedy them.	<ul style="list-style-type: none"> • There is a process to demonstrate how the member responds to remedy human rights impacts it may have caused, contributed or been linked to. This would need to be defined in an internal document and published externally on its website, annual report or other external document. <ul style="list-style-type: none"> ○ The internal documents could be those that are used/have been developed to comply with COP 18.4 Grievance Mechanisms though the member will also need to demonstrate that the process can support grievances raised externally • This process has been communicated to internal and external stakeholders. <ul style="list-style-type: none"> ○ This could include supplier communication, such as onboarding documents or email; employee communication like employee handbooks, posters, employee website content. 	



<p>2. The member uses a transparent process to provide response or remedy to grievances and follows a transparent process.</p>	<p>There is a written process for internal and external grievance mechanisms, which demonstrates:</p> <ul style="list-style-type: none">• The grievance mechanism is available to stakeholders internally and externally• This requirement aligns with COP 18.4 Grievance Mechanisms. If a member can demonstrate conformance with COP 18.4, it demonstrates it is meeting the requirements internally• The member will need to demonstrate the process also supports how external grievances are tracked.	<p>For all types of audits:</p> <ul style="list-style-type: none">• If the member can demonstrate it is conformant with COP 18.4, it will still need to demonstrate it promotes the process externally to be conformant.
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<p>3. There is a process for tracking the number of grievances that have been raised and (successfully) remediated.</p>	<p>There is a written process outlining how grievances are reviewed and documented.</p> <ul style="list-style-type: none"> • The process should include records of the number of issues raised and closed in the previous year and outcomes of the investigations • This requirement aligns with COP 18.4 Grievance Mechanisms. If a member can demonstrate conformance with COP 18.4, it demonstrates it is meeting the requirements internally. • The member will need to demonstrate the process also supports how external grievances are tracked. 	<p>For all types of audits:</p> <ul style="list-style-type: none"> • If the member can demonstrate it is conformant with COP 18.4, it will still need to demonstrate the process also supports external grievances received by a member to be conformant.
<p>4. There is a process to review all grievances reported and include it as part of the assessment of human rights risks.</p>	<p>This can be demonstrated through:</p> <ul style="list-style-type: none"> • A process or documentation showing that the analysis of reported grievances was considered as part of the human rights risk assessment • This can be defined in a statement, process documents, outlined in a human rights report, Modern Slavery Act statement, investor communication, the website or other internal document. 	<p>For all audits:</p> <ul style="list-style-type: none"> • If there are no existing documents, answers provided during management interviews are sufficient.

COP 6.1 (D): COMMUNICATING: Members shall communicate with stakeholders about their human rights due diligence efforts and remedy activities annually in accordance with COP 3 (Reporting).		
Requirement:	Verification guidance:	Additional guidance:
<p>1. The member has communicated its human rights due diligence efforts and process to internal and external stakeholders.</p> <p>This could include and is not limited to employees, suppliers, buyers, investors, NGOs, customers, communities the member operates in.</p>	<p>This can be demonstrated through:</p> <ul style="list-style-type: none"> • External communication: <ul style="list-style-type: none"> ○ Email communications with suppliers or active contributions to industry initiatives, ○ Meeting agendas, notes and presentations, ○ Formal statements such as Corporate Social Responsibility Reports, etc. • Internal communication: <ul style="list-style-type: none"> ○ Email communications, ○ Meeting agendas, notes and presentations, ○ Internal training session materials. 	<p><u>SMEs:</u></p> <ul style="list-style-type: none"> • At an initial audit if a member doesn't have any formal communication, management interviews verifying what actions have been taken can be used to demonstrate conformance • However, at the next re-certification audit, the member will need to demonstrate how it has communicated its human rights due diligence with stakeholders. <p><u>For all re-certification audits:</u></p> <ul style="list-style-type: none"> • The member will need to demonstrate it has continued its human rights due diligence activities and communicated an update based on those activities annually



<p>2. The member annually communicates its salient human rights risks and actions taken to remedy impacts</p>	<ul style="list-style-type: none">• The member describes its salient human rights risks and actions taken to remedy impacts internally and externally through:<ul style="list-style-type: none">• human rights reports, investor letters, sustainability reports, website content or presentations at stakeholder roundtables	<p><u>SMEs:</u></p> <ul style="list-style-type: none">• At an initial audit, if a member doesn't have any formal communication, management interviews verifying what actions have been taken can be used to demonstrate conformance• However, at the next re-certification audit, the member will need to demonstrate how it has communicated its human rights due diligence with stakeholders. <p><u>For all re-certification audits:</u></p> <ul style="list-style-type: none">• The member will need to demonstrate it has continued its human rights due diligence activities and communicated an update based on those activities annually
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