

Complaints Policy and Procedure

1. Introduction

Christian World Service (CWS) is committed to providing high-quality humanitarian, development and advocacy programmes and to working in an open and accountable way. However, there may be occasions when CWS fails to meet reasonable expectations of stakeholders. In such instances stakeholders have a right to raise a concern, give feedback and if necessary, lodge a complaint.

CWS wishes to address staff and stakeholder concerns quickly and effectively so that issues are satisfactorily resolved and do not progress to the level of formal complaint.

CWS aims to comply with Commitment 5 of the Core Humanitarian Standard¹, which requires CWS and its partners to:

- Plan and implement safe, accessible and appropriate ways for all groups in a community to provide feedback and report concerns and complaints in line with recognised good practice.
- Regularly monitor that people and communities understand how staff and volunteers are expected to act to prevent harmful behaviours, including sexual exploitation and abuse, and harassment.
- Regularly monitor that people, communities and other relevant stakeholders understand how to report concerns and complaints, and how they will be addressed.
- Manage, investigate, address and/ or appropriately refer complaints in line with recognised good practice.
- Apply appropriate victim/survivor-centred approaches to investigate and address complaints and reports of any misconduct, including sexual exploitation, abuse and harassment.
- Establish a coherent organisational approach to ensure any concerns and complaints are welcomed and acted upon in a timely and appropriate manner.

This policy is based on the CHS Alliance Guidelines for Investigations (November 2015)² and the ACT Alliance Complaints Policy³ The document should also be read alongside CWS Employment Agreements, the Safeguarding, and the Whistle-blowing Policies.

A summary of this policy and its processes should be made available on the CWS website.

¹ <https://www.chsalliance.org/about/>

² <https://www.chsalliance.org/get-support/resource/guidelines-for-investigations/>

³ <https://actalliance.org/documents/act-alliance-complaints-handling-policy-2/>

1.2 Purpose

The purpose of the CWS Complaints Policy is to:

- recognise, promote and protect CWS stakeholder rights, including the right to raise a concern, give feedback and/or complain.
- set out roles, responsibilities and timeframes for handling complaints and to provide clear guidance on responding to and resolving complaints.
- ensure that CWS learns from all situations in order to strive for high quality in the delivery of its mission.
- increase the level of stakeholder satisfaction with the work of CWS

1.3 Obligation to disclose

All CWS employees and contractors⁴ are required to report allegations, concerns or suspicion of breaches related to abuse, exploitation and fraud and corruption. Proven deliberate non-disclosure will lead to disciplinary action.

1.4 Creating a safe environment

CWS seeks to provide a safe environment through which stakeholders can voice concern, without fear of reprisal or unfair treatment. CWS is committed to ensuring that people can raise reasonable concerns:

- without risk of losing their employment, entitlements, or suffering any form of retribution in the community or workplace.
- knowing that harassment will not arise from raising genuine concerns - and if it does, to know that CWS will take disciplinary action under the appropriate procedure.
- knowing that complaints will be addressed in a confidential manner.

CWS aims to ensure that complaints are addressed fairly, appropriately, and in a timely manner. Complaints will be handled confidentially, and information shared only on a “need-to-know” basis.

1.5 CWS Responsibilities

CWS has a responsibility to handle and respond to complaints in a timely manner.

All complaints will be addressed to a Complaints Officer. Ordinarily this will be the National Director. If the National Director is conflicted or unavailable, the Chair of the Board should be contacted. If the Chair is conflicted or unavailable, then another member of the Board should be contacted.

1.6 Responsibility to those CWS serves

⁴ All CWS staff refers to all permanent and temporary staff, their dependents, interns, consultants, observers, volunteers and individuals working for or representing CWS.

CWS is responsible for complaints it receives against CWS staff and other stakeholders in relation to a breach of its policies.

CWS partners are encouraged to develop accessible, safe and responsive complaints mechanisms that are accessible to all their stakeholders. If they do not have the internal capacity to address complaints related to abuse, exploitation or gross misconduct they must have a clear referral system in place.

2. Key definitions

Concern: A concern is an informal communication or question made to a CWS staff member or volunteer, regarding an aspect of the work of CWS and which expresses a hopeful resolution to the issue.

Complaint: A complaint is a formal grievance of anyone who has been negatively affected by an action taken by CWS, or where a person believes that CWS has failed to meet its stated commitment. Additionally, a concern becomes a complaint when CWS policy is violated.

All operational complaints should be referred to the National Director to gather further information (within 7 days).

A sensitive complaint relates to allegations of sexual exploitation and abuse, fraud and corruption or other gross misconduct by a CWS staff member or representative/s. Sensitive complaints will be addressed by management and where appropriate by experts or according to law within the jurisdiction where the event took place. In line with CWS Safeguarding Policy, CWS will report to appropriate places any allegations or complaints, depending on the nature and severity of the case.

Anonymous Complaint: CWS recognises that at times people with genuine concerns cannot speak out because of special circumstances and may wish to lodge a complaint with a staff person without revealing their identity to a wider audience. CWS will accept anonymous complaints when there is evidence that there are grounds for further action and will deal with them seriously because of the potential for future abuse and harm. Every effort will be made to address the complaint when there is sufficient information to investigate the allegation.

Feedback: CWS distinguishes the term 'complaint' from 'feedback'. Feedback is any positive or negative statement of opinion about someone or something.

3. Scope of the policy

This policy applies to all CWS stakeholders. Anyone can make a complaint, but this policy applies to the complaints handling system that is within the scope of CWS responsibility.

3.1 Complaints addressed by this policy

CWS will accept complaints against CWS staff, volunteers, Trustees or international partners where it is perceived a person (or people) has failed to implement CWS policy, including operating in accord with the code of conduct.

If a person or organisation submits a complaint that is not within the scope of CWS as outlined above, they will be informed.

3.2 Complaints not addressed by this policy

CWS will not accept complaints:

- that are already the subject of legal proceedings.
- against a political stand or policy which has been taken by CWS or a CWS partner for advocacy purposes, unless that position is in breach of a CWS policy or standard.
- using inappropriate or abusive language.
- Complaints sent as part of a bulk mail from an unknown source.

3.3 Confidentiality

CWS will take all steps possible to protect the privacy and safety of the complainant, the subject of complaint and other witnesses. The facts and nature of the complaint, the identity of key participants and the investigation records are confidential. This means that access to and dissemination of information will be restricted to authorised persons for the purpose of concluding a necessary investigation.

CWS shall only allow disclosure when:

- it is required by law.
- it is required in the interests of the organisation and/or the parties concerned.
- it is needed to obtain specialist help for the survivor, or advice on the evidence

Should the matter become public at any time, the CWS Board shall issue a public statement about the procedures followed, the status and/or the outcome of the complaint review. The Board will not normally release details about the complaint.

4. Lodging a complaint

4.1 When to complain

A complaint should be lodged as soon as possible after the complainant becomes aware of the concern. CWS will accept complaints at any time.

4.2 How to complain

Complaints can be communicated using letter, email, phone, or personal contact. It is important to include the complainant's full name (or in the case of an organisation – organisation's name), address and contact telephone number in the email or letter.

Please refer to Appendix 1 below for a sample complaints letter. This should serve as a guide and can be adapted as appropriate. When the details have been populated, it may be sent to either:

By letter, addressed to:

Complaints
Christian World Service
P O Box 22652
Christchurch 8140
Aotearoa New Zealand

complaints@cws.org.nz
chair@CWS.org.nz

By phone call to the Complaints Officer
Tel: +64 3 3669274 x 708

CWS is a member of the Council for International Development (CID) and follows the CID Code of Compliance. Complainants can make a complaint regarding an alleged breach of the Code directly to the Code Committee of the CID Board, via the CID website link:

[Make a Complaint - Council for International Development \(cid.org.nz\)](http://cid.org.nz)

4.3 Confirmation of receipt of complaint

The complainant shall receive confirmation of the complaint, where possible, within 10 business days after CWS receives the complaint. The email, letter or phone call should give the following information:

- when and how the complaint was received
- how CWS has responded to the complaint so far and what it will do next
- the name of the person investigating the complaint
- contact details for further questions and feedback.

4.4 Determining the need for an investigation

Not all complaints need a formal investigation process. Some complaints can be resolved to the complainant's satisfaction through communication between the complainant and the person who received the complaint.

The decision to investigate a complaint will be determined by asking the following questions:

- Does it relate to a breach of CWS's policy?
- Does the complaint constitute a 'complaint' as defined above?
- Is there enough information to investigate?
- What is the level of risk for all involved and can these be safely managed?

4.5 The investigation process

If the Complaints Officer decides an investigation is necessary, the investigation will follow the key steps and processes as outlined below in Appendix 2,

4.6 Feedback on investigation outcome

Christian World Service will communicate the preliminary outcome of an investigation to the complainant(s), where possible, within 60 days after acknowledgment of the complaint. In complex or exceptional cases, the investigation period may take longer. However, the complainant(s) will, be informed if the investigation timeframe is extended. The complainant will not receive details of the investigation but will be informed that the complaint has been referred to management for a decision, or that the complaint was not substantiated.

4.7 Appeal process

If the complainant(s) or subject(s) of complaint does not accept the outcome of the investigation, they can appeal the decision to the Board. A letter/email requesting an appeal should be addressed to the Complaints Officer, who in turn will inform the Board that an appeal has been lodged. Members of the Board who may be conflicted will not be involved in the appeal process.

The Board should aim to convene the appeal meeting within 30 days of the request for appeal. The board will then decide regarding appropriate action that may be required to resolve the situation. The decision will be communicated, where possible, in writing within 10 days of the meeting. The decision of the Board is final.

4.8 Follow up and learning

CWS shall keep a record of all complaints received. The Complaints Officer will document a report of the complaint, and this will be filed in Board documentation. Periodic reports on complaints and investigation outcomes may be made public under special circumstances or on request, while preserving confidentiality. Complaints analysis will feed into CWS strategy review and future management decisions and operations. Names of complainants, organisations, witnesses, and subjects of complaints will not be revealed in public reports.

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Note – the default period is 3 years unless the owner requests a shorter period

Appendix 1: Suggested complaint letter format

This form should be completed (or adapted) by the person or organisation wishing to lodge a complaint or through a third party.

(All 'sensitive' complaints related to sexual exploitation and abuse, fraud and corruption and gross misconduct will be held securely and handled strictly in line with applicable confidentiality, reporting and investigation procedures.)

A: General data

1. Name of the person or organisation lodging the complaint

2. Address:

Tel: _____ email: _____

3. Name of the person or organisation you wish to lodge a complaint against (if known):

4. Date of incident _____ Time of incident _____

5. Place of incident _____

6. Date of report _____ Time of report _____

B: Brief description of the incident or concern

C: Name of witnesses (if any/and if relevant). Supply the names of witnesses and where they can be contacted, if known:

D: Describe action taken. If this is a complaint related to sexual exploitation and abuse, please provide detailed information regarding what medical assistance has been provided, what psychosocial care has been provided and whether a report has been made to the Police.

E: State what kind of response you expect from Christian World Service and how you wish to see the matter resolved

(Name) _____

Signature _____ Date: _____

4. The key steps of an investigation

These Guidelines are based around the following key steps for undertaking an investigation:

