

Udayankur Seba Sangstha (USS)

COMPLAINTS AND RESPONSE POLICY



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1.1 INTRODUCTION

To improve accountability, USS is committed to implement a Complaints Response Policy (CRP) in our programmes to enable individuals and organizations to raise complaints and give feedback on our work. The system also enables USS staff to report on incidents.

A CRP describes all steps and processes for USS to ensure that an effective complaints handling system is in place, so that all stakeholders have an appropriate means of lodging a complaint, that subsequent complaints can be addressed in a professional and effective way, from receipt through to the investigation and follow-up stage.

The benefit for USS in receiving complaints is primarily to get input to programs and projects, which will improve the quality of our work, increase the likelihood for success in our long-term and humanitarian work, and reduce the potential for inefficient or misuse of the resources entrusted to us.

2.1 OBJECTIVES

The purpose of this policy is to:

- Maintain the quality and continuous improvement in USS's work;
- Protect USS staff to report incidents and increase confidence;
- Enable stakeholders to raise a concern and complain on USS work and quality relationship with stakeholders;
- Provide general information regarding USS's procedures for handling, responding and resolving complaints and staff incident reports.

3.1 SCOPE OF THIS POLICY

The CRP should be seen as one system for the whole organisation; it includes the whole process from receiving, handling and investigating complaints. This procedure gives confidence to the stakeholders as well as staff to file complaints. USS's staff can also report incidents through the CRP. All complaints are reported in the same system.

USS is implementing directly through recruiting and orienting staff and hence, USS has a responsibility as staff to address the wellbeing and protection of local communities and individuals in its development and humanitarian programs.

3.1.1 Key definition: what is a complaint, and what is it not?

USS recognise what Diakonia defines a complaint "Formal expression of dissatisfaction and/or misconduct, about someone or something". It distinguishes the term 'complaint' from 'feedback'. Feedback is any positive or negative informal statement of opinion about someone or something – an opinion shared for information but not with the intention of lodging a formal complaint.

Complaints addressed by this policy-USS will accept complaints related to the following examples:

- Misbehavior or misconduct by a USS staff member with reference to USS's Code of Conduct.
- Violation of USS's policies and commitments by staff
- Misbehavior or misconduct staff member
- Misuse of funds/fraud by staff
- Issues related to protection and security of rights holders

Complaints not addressed by this policy-USS will not respond to the following complaints:

- Complaints that are already the subject to current investigation by any regulatory body or legal or official authorities in Bangladesh
- Offensive complaints using inappropriate or abuse language.

3.1.2 Anonymous and Malicious Complaint

If a person lodging a complaint chooses to remain anonymous, USS will only be able to receive the complaint, but will not be able to respond or guarantee an investigation. Complaints will always be treated with confidentiality. Name and contact details will not be revealed to any person outside the investigation.

If a person lodging complaint that is malicious, any investigation underway must be stopped immediately and disciplinary actions be taken if USS staff's makes the malicious complaint.

3.1.2 Risk Analysis, Ensure Confidentiality and Safe Environment

USS recognize that there are risks linked to the investigation of complaints and it is therefore very important to always assess what the risks are prior to an investigation and address the risks in an appropriate way.

Confidentiality is critical in the handling of complaints in order to protect the privacy and safety of the complainant, the subject of complaint and other witnesses. Access to and dissemination of information regarding complain will be restricted only to a limited number of authorized staff for the purpose of concluding a necessary investigation. Any breach of confidentiality shall lead to disciplinary action according to HRDM regulations.

USS shall only allow disclosure when:

- It is required by law;
- It is needed to obtain specialist help for the survivor or advice on the evidence.

USS seeks to provide a safe environment through which individuals or groups can voice a concern, without fear of reprisal or unfair treatment.

4.1 COMPLAINTS AND INCIDENT HANDLING PROCEDURES

In case a staff member receives information informally, that could be subject for a complaint, USS staff is encouraged to proactively ask if the person that is sharing the information would like to make a formal complaint and if needed assist the complainant to make the complaint.

4.1.1 Types of complaints: Operational and Serious complaints and incidents

When dealing with complaints, USS distinguishes between “operational complaints and incidents” and “serious complaints and incidents”.

Operational complaints and incidents- Operational complaints refer to complaints on

program and project activities and staff incidents. It may be any of the following:

- Issues of entitlements and commitments not met
- The quality of the implementation of a project
- How a programmed has been managed
- Incidence conducted by employee which incur loss the stakeholders
- The quality of the service provided

Operational complaints can often be resolved to the complainant's satisfaction through two-way communication between the complainant and the person who received the complaint at project level. It is however recognized that not all issues can beresolved in this way and some cases may need to be reported.

Serious complaints and incidents- A serious complaint is primarily related to breach of Staff's Code of Conduct. A serious complaint can be any of the following:

- Behavior of a USS employee
- Allegations of sexual exploitation and abuse
- Allegations of harassment (physical, psychological)
- Allegations of crime, fraud and corruption
- A complaint on an issue posing serious reputational risk to USS

Serious complaints should be formally investigated with high respect to confidentiality. Accountability Unit (AU) will decide about the external investigation. AFT consists of 3 persons from the organization. ED of the organization will not member of the AFT because of the conflict of interest. Also Accountability Focal (AF) will not be the member of same reason.

4.1.2 Responsibilities in Handling Complaints and Incidents

ALL USS Staff have a Responsibility- All USS's employees are required to report allegations, or suspicions of breaches related to USS's Code of conduct. Proven deliberate non-disclosure will lead to disciplinary action. The obligation to disclose is included in USS's Code of Conduct.

A flow chart in Annex 1 gives a visual glimpse of the procedure and responsibilities for handling serious complaints.

Executive Director or Executive Committee- Executive director will make decision based on the complain investigation recommendation. If the complain against the ED than Executive Committee will make decision. They are responsible for

- Ensuring that a system to handle and respond to complaints in a safe and

effective.

- Ensuring that the guidelines for complaints handling is followed
- Ensure that CRP is operational and effective for improving performance

Accountability Focal Point- Responsible for

- Overseeing the roll- out of CRMs
- Ensuring that complaints are documented and are complete and secure.
- Informing stakeholders about their right to complain
- Ensuring that all complaints are documented and files are complete and secure
- Synthesis report of different types of complaints received and the status of their resolution shall be reported annually
- Learning documentation and propose for the continual improvements

Accountability Unit- Comprised 3 key persons from the organization. ED and AFP will not be the member of the AU. They are responsible for

- Ensuring that USS's CRP is relevant and functional and that resources (staff, financial and technical) are allocated to ensure the system is maintained
- Risk analysis and take risk mitigation measures
- Ensuring qualified investigations of serious complaints

Complaints Investigation Team- Comprised 3 key persons from the organization. AU will appoint the CIT based on the relevant experiences. They are responsible for

- Planning for the investigation for the serious complaint;
- Gather evidence for proceed investigation;
- Responsible for fair investigation and reporting including recommended action

4.1.3 Steps in processing complaints

The flowchart in Annex 1 outlines the main steps taken at different levels in the handling of serious complaints. These are also described here.

a. Acknowledging the complaint

The complainant shall receive confirmation of receipt of the complaint. By sending an acknowledgement, USS shows that the allegation is taken seriously and handled according to procedures.

b. Risks analysis and Protection

Risks should be addressed, and any security concerns should be referred to management. Investigation of serious complaints can also involve a risk for the staff or

person that conducts the investigation. AFT is responsible to minimize these risks as far as possible.

c. Determining the need for an investigation

In general, only serious complaint goes through an investigation process. Serious complaints are always referred to Accountability Focal Team (AFT) who then decides if an allegation needs to be investigated.

d. The investigation process

If a serious complaint warrants further investigation, responsible Accountability Focal Team (AFT) appoints an Investigation Team that involves the 3 key persons from the organization (Never involve the person who is subject for accusations). Executive Director or Executive Committee will make decisions for action on a complaint based on the investigation recommendations. The Complain Investigation Team (CIT) shall have contextual knowledge and will, if possible, be gender balanced.

Key steps of Investigation and Reporting

- Appointing the investigation team
- Planning the investigation
- Gathering evidence
- Validating evidence
- Reporting on findings
- Conclusions and recommendations
- Deliver the report

e. Communicating Investigation Outcome and appeal process

The outcome of the investigation shall be communicated to the complainant immediately after a decision is made. Any decision will be followed by immediate action.

If the Complainant or the Subject of the Complaint is not satisfied on the resolution of the complaint, he/she may lodge an appeal within 7 days upon receipt of the decision. If this is the case, the reasons given and any other new evidences to make a decision whether or not to conduct a new investigation shall be analyzed. The appeal shall be considered only once.

4.1.4 Action Time Allotment

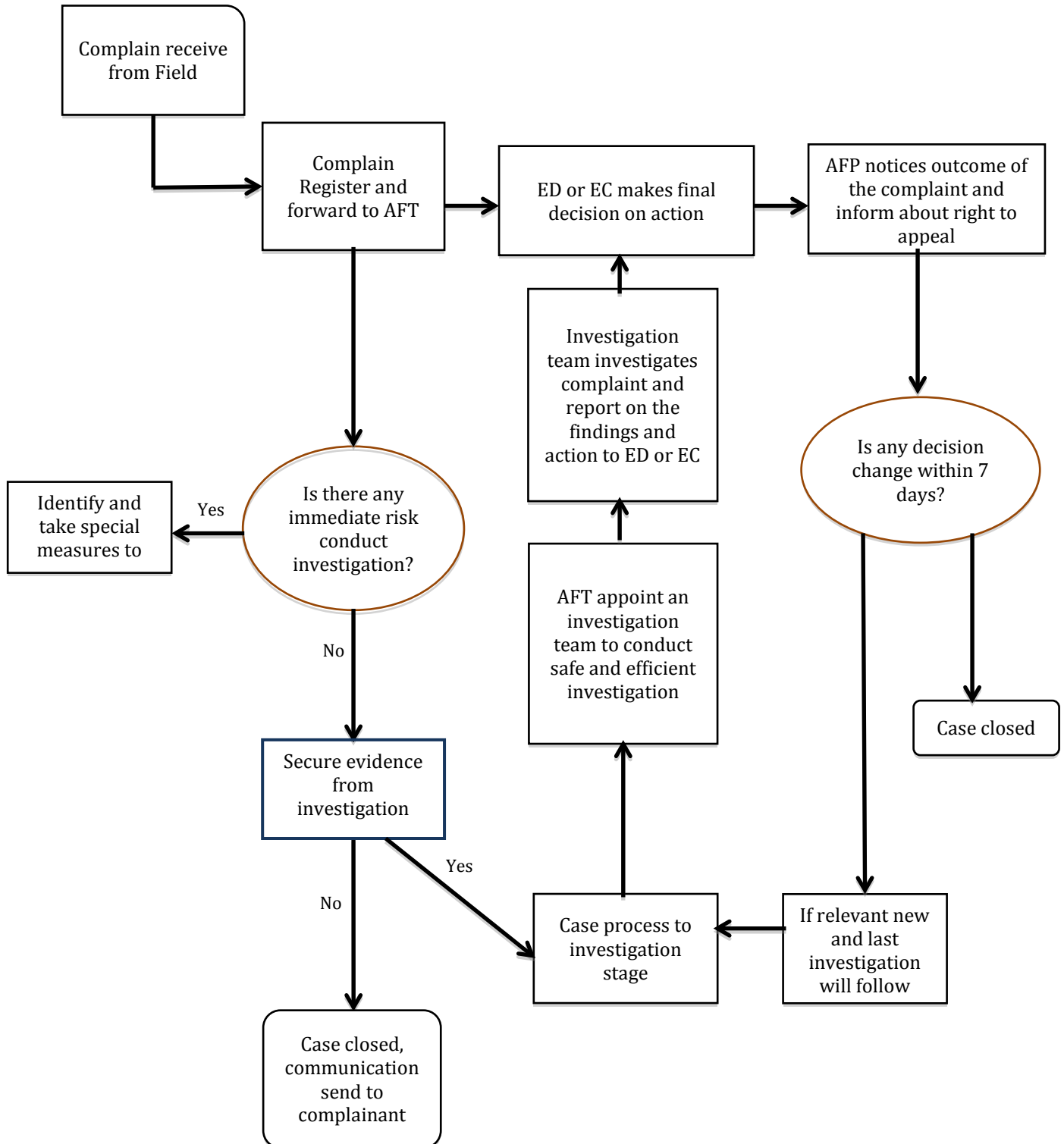
USS will always strive to take action and solve complaints in a timely manner. However, the time it takes for each complaint to be solved will depend on the complexity and character of the complaint. Serious complain should have to solve within 3months and operational complain should have to solve within 30 days.

3.5 Learning and continual development

A synthesis report of the types of complaints received and the status of their resolution

shall be reported annually. The annual reports will focus on learning points and how USS aims at improving our way of working. This policy will be formally reviewed regularly. Critical lessons learnt and suggestions for improvement should be considered as appropriate and relevant when there is a need to update the system.

Annex 1: Flowchart for handling serious complaints of USS



Annex 2: Complaint format and report

Compliant Format

| | |
|--|------------|
| Does the complaint concern a USS employee? | (Yes/No) |
| Name of the person/organization who you wish to lodge a complaint against (if known) | |
| Date of incident: | |
| Place of incident: | |
| Date of reporting: | |
| Type of complaint or incident: USS employee issues: <ul style="list-style-type: none"> A. Breach of the Code of Conduct (employee behaviour incl. sexual exploitation, harassment, corruption, crime) B. Employee incidents relating to accidents, decease, security threats or work environment Other issues related to partners and USS in general: <ul style="list-style-type: none"> C. Operational issues relating to USS's work (commitments not met, quality, implementation, management of a programme, etc.) D. Corruption and fraud relating to partners E. Organised crime (according to national law) F. Late reporting from partners G. Other (write to the right) | (Indicate) |
| Brief description of what have happened. Try to be as detailed as possible: | |
| | |
| Who else was there (if any). If so, can the person be contacted? | |
| | |
| If you wish to be anonymous, USS cannot guarantee that the complaint can be investigated. If you choose to stay anonymous, do not write anything below. | |
| Name of the complainant: | |
| Job title: | |
| Address: | |
| Country: | |
| Tel: | |
| Email: | |
| Any supporting documents you would like to add: | |
| | |

Format for investigation report of serious complaints and incidents

| | |
|--|---------|
| 1. File no. | |
| 2. Whowithin USSdidreceivethecomplaint? | |
| | |
| 3. Isthereanyimmediate safety risk? | |
| | |
| 4. Confidentiality – whoshouldknow/knowsaboutthecomplaint? | |
| | |
| 5. Whenwas a formal confirmationgiventothecomplainantaboutthereception of thecomplaint? Attachthelettertothereportifitisnotthestandardlettersentautomaticallyfromthe website. | |
| | |
| 6. Decidingwhethertoinvestigate – if no investigate, pleasewritethereason. | |
| | |
| 7. Appointingtheinvestigationteam – name and position of investigation manager, name and position of investigators, name and position of otherexpertsconductingtheinvestigation | |
| | |
| 8. Action plan forinvestigation – what do youneedto do and when? State date for each action. | |
| Date: | Action: |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| 9. Gatheringdocumentaryevidence – listthedocument, alldocumentshould be attachedtothereport | |
| 1 | |
| 2 | |
| 3 | |
| 4 | |
| 5 | |
| ... | |

| | |
|--|--|
| 10. Gathering evidence from people – list people you have talked with, all notes should be attached to the report | |
| 1 | |
| 2 | |
| 3 | |
| 4 | |
| 5 | |
| ... | |
| 11. Gathering physical evidence and conducting site visits – list information gathered if any, all documents should be attached to the report | |
| 1 | |
| 2 | |
| 3 | |
| 4 | |
| 5 | |
| ... | |
| 12. Reporting on findings. Based on the information gathered write down all information that will substantiate or not the allegations. Evaluate its consistency and reliability. | |
| | |
| 13. Conclusions and recommendation – justification to close | |
| | |
| 14. Decision – actions to take | |
| | |
| 15. Lessons learned | |
| | |
| 16. Signature of responsible investigation manager | |
| Decision date: | |
| Name and title: | |
| Signature: | |
| Short information on the complaint, investigation and lessons learned – to be used on the website in the annual report on complaints | |
| Summaries the content of the complaint (max. 500 characters): | |

| |
|---|
| |
| Summarieswhatwedid(max. 500 characters): |
| |
| Summarieslessonslearned(max. 500 characters): |
| |

Format for responding to operational complaints and incidents

| | |
|---|--|
| File no. | |
| 1. WhowithinUSSisrespondingtothecomplaint? | |
| | |
| 2. Respondtothecomplainant – writetheanswerthatwascommunicatedtothecomplainant. Ifitisrelatedtoemployeesdisease/health, securitythreats and workenvironment, the response shall be senttothe Human Resource Manager | |
| | |
| 3. Lessonslearned – suggestion of improvement in USS'soperations | |
| | |
| Short information on the complaint, investigation and lessons learned – to be used on the website in the annual report on complaints | |
| Summaries the content of the complaint (max. 500 characters): | |
| | |
| Summarieswhatwe responded (max. 500 characters): | |
| | |
| Summarieslessonslearned(max. 500 characters): | |
| | |

Annex 4

Complaint Register / Tracker:

| C.No. | Complainant Name (Optional) | Complainant Designation | Active/Closed | | Receipt Date of Complaint | Receipt Time | Mode of Receipt Phone (P), Verbal (V), Complaint Box (CB), Complainant Visiting Office (CVO), Letter by Post (LBP), Email (E) | Nature of Complaint | | Complaint Category | |
|-------|-----------------------------|-------------------------|---------------|---|---------------------------|--------------|--|---------------------|---------------|--------------------|----------------------|
| | | | A | C | | | | Sensitive | Non-Sensitive | Job Related | Organization Related |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
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