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Revision (approved by the Committee for World Service)

Complaints Mechanism Policy and Procedures



THE
LUTHERAN
WORLD
FEDERATION

Department
for World Service

actalliance

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INTRODUCTION

The core values of the Lutheran World Federation (LWF) are deeply rooted in dignity, justice, compassion, commitment, diversity, inclusiveness, participation, transparency and accountability¹. Resources and responsibilities for decision-making are to be used in ways that are mutually transparent and answerable to all stakeholders. This is complemented by the highest standards, flexibility and pragmatism in program implementation, balancing accountability towards the affected population and the expectations of partners and back donors. The Department for World Service is committed to transparency of its motives and aims, as well as its financial transactions.

To ensure that this commitment is live out, the World Service Complaints Mechanism Policy and Procedure allows that all stakeholders may provide feedback and complaints on World Service work, have them heard and properly addressed.

WORLD SERVICE COMPLAINTS POLICY STATEMENT

World Service is committed to working in an open and responsible way that builds the trust and respect of all our stakeholders. World Service is committed to high quality humanitarian and development programming and seeks to work with affected communities and populations in the best way possible.

To ensure that the World Service programs are continuously improved, we want to hear what our stakeholders have to say whether in the form of a comment, a compliment or a complaint. Responding to complaints from stakeholders is basic to World Service' value on accountability, and to the Accountability Frameworks established both centrally at World Service and at Country Program level.

World Service will therefore establish local (for all Country Programs) and global Complaints Mechanisms to encourage feedback about its work from all its stakeholders. Where the feedback is a complaint about World Service conduct, World Service shall respond in a timely and appropriate manner through established mechanisms.

This policy will be actively disseminated to all stakeholders, especially affected populations, using appropriate language and means.

¹ As contained in the World Service Global Strategy 2013 – 2018.

GUIDING PRINCIPLES

- World Service is guided by the values of dignity and justice, inclusiveness and participation, accountability and transparency, compassion and commitment.
- World Service has zero tolerance² to any form of abuse of power, sexual exploitation, fraud³ and corruption, physical and psychological abuse and criminal offences⁴.
- The LWF Staff Code of Conduct regarding Sexual Exploitation and Abuse, Abuse of Power, Fraud and Corruption (January 2013 version) serves to guide all LWF staff in their attitudes, behaviors and ethical decisions in their professional as well as private lives.
- World Service takes complaints seriously and positively. It shall address all issues of sexual exploitation, abuse of power, corruption and breach of the World Service policies and standards.
- World Service is committed to have an effective procedure for handling and responding to complaints. Procedures shall be simple, easily understood and widely publicized.
- Appropriate cultural and local practices should be respected in the development of complaints mechanisms. Cultural practices violating human rights and against World Service' values are exceptions.
- No staff shall retaliate against the complainant in whole or in part because he or she has disclosed alleged wrongful conduct. Any staff that is found to have violated this principle shall be subject to disciplinary action.
- Both complainants and accused have a right to challenge decisions and to be properly informed about the basis on which decisions have been made. At any point the confidentiality aspect shall be maintained.
- When necessary, it is particularly important to ensure that support is available to complainants in ways deemed appropriate.
- The procedure for complaints will be reviewed regularly to ensure and incorporate learning and improvement towards World Service' accountability.

² The definition of "zero tolerance" is found in the Glossary, APPENDIX 1.

³ Including false accusations

⁴ Criminal offenses understood a violation of a law in which there is injury to the public or a member of the public and a term in jail or prison, and/or a fine as possible penalties (*from The Free Dictionary*)

1. DEFINITION OF A COMPLAINT

1.1. What is a complaint?

A complaint is an expression of concern or dissatisfaction by an individual or a group, related to possible misconduct by World Service. This could be in relation to program activities or conduct of its personnel, how LWF works with the communities or affected population and partners, or when World Service policies and guidelines are not respected. It might express concern about:

- How a service has been managed, which has a direct impact on the communities and affected population;
- A concern about the behavior of staff
- The quality of program delivery;
- Abuse of power manifested against those with less social power and how they are treated physically and or psychologically;
- Staff members involved in corruption or abuse of one's position for private gain, such as misusing the financial and other resources of the organization;
- Sexual coercion and manipulation (including all types of sexual acts) by a person in a position of power providing any type of assistance in exchange for sexual acts;
- Sexual harassment or unwelcome sexual advance, comment, expressed or implied sexual demand, touch, joke, gesture, or any other communication or conduct of a sexual nature, whether verbal, written or visual, by any person to another individual within the scope of work.

A complaint is NOT:

- A general inquiry about World Service work
- A request for information
- A contractual dispute

Complaints relating to internal staff employment conditions, guidelines and benefits are not dealt by this complaint mechanism but through the relevant Personnel regulations.

1.2. Types of Complaints

World Service categorizes complaints into 2 categories:

1.2.1. Operational Complaints

Operational complaints refer to complaints on program activities. It can be any of the following:

- Issues of entitlements and commitments not met,

- The quality of the service or program delivery,
- How a service has been managed, which directly affects the communities LWF works with.

There may be instances of possible operational complaints or allegations against the LWF implementing partner or on the community itself as a result of the LWF program activities. Where such action is required, the LWF country program shall endeavor to bring it to the attention and resolution of the concerned parties.

Specific operational complaints and concerns can be dealt with at a project or country program level. It is however recognized that not all issues can be resolved in this way and that a formal complaints mechanism is required for the country program to act on formal complaints.

1.2.2. Serious Complaints

A serious complaint is related to breach of the Codes of Conduct (LWF, ACT Alliance, and the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief). A complaint is an allegation or suspicion related to:

- A concern about the behavior of staff
- Physical and psychological abuse
- Sexual exploitation and abuse (including gender-based violence)
- Harassment
- Child abuse/exploitation
- Fraud and corruption
- Unfair business practices
- Criminal offence
- Serious operational complaints, such as flagrant service delivery of a project, having gross negative impact on the communities we are assisting

This kind of serious complaint should be investigated following the issuance of a formal complaint. In a situation where a person discloses such allegations, it must be reported immediately through established mechanisms even if the person does not want to make a complaint. All serious complaints must be reported by the Country Representative to the Complaints and Investigation Focal Point in World Service Geneva.

A serious complaint may warrant further investigation, in line with the World Service Investigation Guidelines.

1.3. Anonymous Complaints

An anonymous complaint refers to a complaint that is lodged without revealing the identity of the complainant. World Service strongly encourages individuals making complaints to disclose their identity so that a proper and thorough investigation can proceed. Anonymous complaints are difficult to deal with because their investigation is always dependent upon limited and questionable

information. However, World Service shall consider receiving anonymous complaints. Without this option, it is possible that some serious problems may not come to light.

1.4. Malicious Complaints

World Service acts under the assumption that all complaints are made in good faith and are not motivated with the intent for personal gain, personal interest or a grudge. If a malicious complaint is disclosed, any investigation shall be stopped immediately. If a malicious complaint was made by an LWF employee, appropriate disciplinary measures will apply according to the personnel guidelines.

1.5. Complaints that cannot be dealt with by this policy

The complaints mechanism and procedures do not apply to complaints that are subject to current investigation by any regulatory body or legal or official authorities in the countries where LWF operates. These complaints include the following:

- Events requiring investigation by a professional and/or a disciplinary body.
- Events requiring an independent inquiry into a serious incident involving national governmental authorities.
- Events requiring investigation of a potential criminal offence.
- Legal action – The complaints procedure will cease immediately if the complainant explicitly takes legal action in respect of the complaint.

If a complaint is received which is not within the responsibility and domain of World Service, the process of referral shall be made to the relevant body deemed to be appropriate to deal with the complaint. However, World Service may take disciplinary or preventive measure on the case, as well as to conduct administrative investigation when deemed necessary.

2. RESPONSIBILITIES IN HANDLING COMPLAINTS

ALL Staff have a Responsibility: All staff should respond positively to any complaints made to them and feel confident to do so. Senior management should ensure an atmosphere of trust, confidence and value orientation for this purpose. Guidance and procedures are provided for staff and for the communities and affected population in order to avoid ad hoc, defensive, negative responses and uncertainty about what is expected of staff in responding to complaints.

Staff needs to know what the steps are regarding dealing with complaints, who the specific focal point person is and the corresponding timelines to deal with complaints. A flow chart in [Appendix 2](#) gives a visual glimpse of the procedure and timelines. These should be made available to all parties to encourage a focus on problem solving.

2.1. Country Program Level

Each Country Program shall establish a Complaints Mechanism based on the World Service Complaints Mechanism Policy and Procedure, amending it where appropriate to the specific context. The specific Country Program Complaints Mechanism shall be simple, easily understood and widely publicized. The policy shall be translated into the national language and shall be posted and disseminated to all staff and communities and affected populations.

World Service has developed an **Accountability and Complaints Mechanism Start-up Kit (Updated February 2011)** which includes a step-by-step guide to establishing a complaints handling mechanism.

The following are the key responsibilities:

The **LWF Representative** is responsible for ensuring that the Complaints Mechanism is relevant and functional. He/she acknowledges the complaint and makes the final decision on the appropriate action (except for serious complaints which are dealt with by World Service Geneva; see below), based on the provisions of the Complaints Mechanism Policy and Procedure.

A **Focal Point Person** is assigned to receive the complaints and ensure that the policy is followed according to the established procedures. The focal point person ensures the complaint and the procedures are documented and files are complete and secure.

A **Complaints Handling Committee** shall be constituted and should be composed of senior management. The focal point person shall be a member of the Complaints Handling Committee. The Committee recommends to the LWF Representative the steps to be taken with regards to the Complaint.

Complaints against senior management staff may be directed to the LWF Representative. If the complaint is about the Representative, complaints must be directed to the World Service Complaints and Investigation Focal Point in Geneva.

If the complaint warrants further investigation, the complaint is forwarded to an **Investigation Team**. The investigation then follows the World Service Investigation Guidelines. The recommendation of the Investigation Team is submitted to the Complaints Handling Committee and the Country Representative takes the final action on the complaint.

All serious complaints shall be communicated by the LWF Representative to the World Service Complaints and Investigation Focal Point (see APPENDIX 3) in Geneva. Geneva must be informed of the process in responding to serious complaints.

Some categories of complaints must be referred to LWF/DWS Geneva:

- very serious complaints and allegation of misconduct
- if the program does not have the resources or the capacity to resolve the complaint locally
- if an LWF/DWS Country or Regional Representative, Program Coordinator or Finance Manager, or other international staff is implicated in the complaint or allegation of misconduct
- if a national staff member in a senior management position in the Country or Regional Program is implicated in the complaint or allegation
- if the serious complaint concerns alleged corruption or fraud, the LWF/DWS Finance Coordinator must be actively involved in handling the case

2.2. Geneva Secretariat Level

To ensure consistency of response and to manage formal complaints effectively, World Service Secretariat in Geneva will follow the same procedure as with the Country Programs. The Director is responsible for ensuring that the Complaints Mechanism is relevant and functional. A Focal Point Person and a Complaints Handling Committee shall be assigned. An Investigation Team shall also be constituted based on the Investigation Guidelines.

2.3. Devising and disseminating the procedures to handle complaints

It is the responsibility of World Service senior management in Geneva to devise and publicize the Complaints Mechanism Policy and Procedure for handling complaints from all sources and to respond to the complaints in an appropriate manner. This system should be effective, accessible and safe.

The possible misuse of a complaints mechanism must also be considered. Measures to protect people and the organization against misuse of the complaint mechanism are necessary due to the risks such policy can favor.

A record of complaints, along with responses, shall be maintained by the World Service Country Program, and also by the World Service Secretariat in Geneva.

2.4. Complaints involving partners LWF works with

In working with partners who implement on behalf of World Service, the partnership agreement shall outline the partner's adherence to the Codes of Conduct (LWF, ACT, International Red Cross and Red Crescent). Partners are required to set up their own complaints handling mechanisms.

If operational complaints are raised regarding the project LWF is working on with the partner, this shall be dealt with in the usual partnership meetings and monitoring visits. Serious complaints about the partner must be referred to the respective organization.

For further information, see the LWF/DWS Guidelines on Cooperation and Project Implementation with National Partners (December 2012). The sample Agreement template includes the requirements expected of partners on accountability and complaints.

2.5. Complaints involving Associate Programs of World Service

World Service has established a new Memorandum of Association with the LWF Associate Programs (2014 version). Among the minimum compliance requirements is the establishment of HAP-compliant complaints handling mechanism.

The following clauses on mutual accountability are contained in the new Memorandum of Association.

5 MUTUAL ACCOUNTABILITY

- 5.1 World Service and APs commit to holding each other mutually accountable for all commitments made in this MOA, through openness, transparency, and a spirit of genuine partnership.
- 5.2 In case of complaints received from third parties against either LWF/DWS or the Associate Program, both parties commit to informing the other party of such complaints.
- 5.3 LWF and the Associate Program shall ensure close coordination regarding any serious complaint made against the AP, and regarding the planning and conduct of any investigation related to possible misconduct. The AP shall share with LWF the full investigation report. When deemed necessary and agreed by both parties, LWF may conduct an investigation in coordination with the AP and share the findings with the AP. Alternatively, the AP may request LWF support to conduct an investigation.

3. HOW TO COMPLAIN

3.1. A complaint could be raised by:

- an individual or community with whom World Service works
- a partner organization, including LWF member Churches, LWF related agencies, UN, government
- a member of the public
- a staff of World Service

3.2. Complaints may be made through any of the following mechanisms:

- **In person** (all levels)
- **Through a trusted intermediary**
- **A complaints box** (in a refugee/IDP camp, in the office, etc.,)
- **e-mail message** to an assigned confidential e-mail (e.g. complaints@lutheranworld.org)
- **hotline** (to be established in each country program and Geneva Secretariat)
- **through the LWF website** (under Accountability)

APPENDIX 3 provides information on where to send your complaints.

A complaint may be brought directly to the attention of a staff person. Appendix 4 is a sample Complaints Form. In cases where the person receiving the complaint is not the designated Focal Point, the staff shall forward the complaint to the Focal Point in charge of receiving complaints.

A written complaint may be dropped in a “**complaint box**”, where the Focal Point person opens the box and retrieves the complaints on a periodic schedule. The location of such a public complaint box is important – preserving the principles of safety, confidentiality, transparency and accessibility. Where appropriate, a “**helpline**” should also be installed. See also **APPENDIX 5**, What a Complaints Mechanism Entails.

A confidential **e-mail** connection or a telephone **hotline** may also be established, as means to preserve confidentiality in the communications.

A complaint may also be channeled initially and verbally within the affected population or community, which shall have their own procedures in place. For example, a refugee or community focal person or committee may be established to receive and handle a complaint.

3.3. Time limit for making a Complaint

Any complaint should be made as soon as possible, but no later than **six months** from the date when the incident happened.

4. STEPS IN PROCESSING COMPLAINTS

All complaints should be dealt with in a fair and professional manner. The following are the steps in processing complaints:

4.1. Providing written acknowledgement to the Complainant

When a complaint is received, the focal point person studies the complaint and convenes the Complaints Handling Committee (see Section 2.1).

A written acknowledgement that a complaint has been received is drafted by the Focal Point Person, as recommended by the Complaints Handling Committee, and signed by the Representative.

This written acknowledgement is important for reasons of accountability and transparency. It shows the complainant that the allegation is taken seriously and it gives her/him the information they need to ensure that World Service is responding properly. If an investigation follows, this provides a record that the World Service has received the complaint and has given initial indications on how it has handled the situation in the initial stage.

The letter of acknowledgement is generally a letter to the complainant telling her/him that World Service has received the complaint and summarizing the actions it will take.

Acknowledgement Letter states

- When and how the World Service received the complaint
- Who in World Service is responsible for acting on the complaint
- Who the complainant should contact regarding questions or feedback

The acknowledgement letter should be in writing, concise and clear. If the complainant does not want a letter, or the World Service believes that such may put the complainant or others at risk, it is possible to confirm receipt orally.

4.2. Adhering to Confidentiality

Confidentiality should be maintained, so that only the staffs who are handling the complaint are aware of the complaint and the information surrounding the complaint. Any breach of confidentiality shall lead to disciplinary action according to the LWF Personnel Regulations.

4.3. Identifying Risks and Providing Protection

At the initial contact with the complainant, the World Service focal person should find out whether the complainant or anyone else is immediately or potentially at risk. Risks should be addressed, and any security concerns should be referred to the security focal person. Adequate and rapid protection and security measures must be provided to the person initiating the complaint, to ensure that he/she is protected from any possible reprisals.

4.4. Taking Action

The Complaints Handling Committee (see Section 2.1) shall meet and deliberate on the Complaint received and the form of action to take. This shall be communicated to the Country Representative.

4.5. Deciding whether to investigate and or channeling as appropriate

The next step is for the Complaints Handling Committee to recommend to the LWF Representative whether to investigate the allegation. It means asking these questions:

- Is there a complaint? The complaint must be a genuine concern of the complainant, and is raised in good faith, and is not motivated with the intent for personal gain, personal interest of a grudge. If it is determined that the complaint was not made in good faith, disciplinary measures should be taken.
- Does the complaint relate to a breach of Code of Conduct on Sexual Exploitation and Abuse, Abuse of Power, Fraud and Corruption or violation of any of the World Service policies and guidelines?
- Is there sufficient information and evidence or is there a need to further investigate?

- At this point, is the allegation conclusive enough to take management action?

Answers to these questions by the Complaints Handling Committee or the relevant decision maker will determine whether an investigation is justified. If so, then investigation procedures should be put in place.

Some complaints may not be as straightforward. The Complaints Handling Committee may refer to any of the following:

- LWF Code of Conduct on Sexual Exploitation and Abuse, Abuse of Power, Fraud and Corruption
- World Service Whistle blowing Policy (Section 5.4 Finance Manual)
- World Service Policy for Management of Fraud (Section 5.5 Finance Manual)
- World Service Procurement Policy
- World Service Disciplinary Procedures (part of the national and international staff regulations)
- Criminal law/litigation
- World Service Investigation Guidelines

4.6. Informing the Complainant about the Investigation Outcome

The outcome of the investigation will be communicated to the Complainant, where possible within 30 days after the acknowledgement of the complaint. In case for justifying reasons this timeline is not feasible, the complainant shall be immediately informed.

The Representative is responsible for communicating the outcome of the investigation to the complainant. This could be done in writing.

4.7. Appeal Process

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 30 days upon receipt of the decision. The LWF Representative and the Complaints Handling Committee shall analyze the reasons given and any other new evidences to make a decision whether or not to conduct a new investigation.

The appeal shall be considered only once.

4.8. Time Allotment on Respective Actions

World Service will aim to resolve complaints within 30 working days of receipt. In the event that a complaint cannot be resolved within this timeframe, the complainant will be informed in writing about when he/she can expect a full response. The following is the time allotment for specific actions.

Action	Time Allotment
Complaint Received	Incident should be reported soonest but can be brought up within 6 months of incident
Acknowledgement of Complaint Received	Within 2 days
Resolution on Operational Complaints	Decision within 7 days
For Complaints needing further investigation	Actual investigation ideally in 7 days though may vary depending on the nature and complexity of complaint Maximum 21 days
Inform Geneva Secretariat on serious complaints	Soonest information is known, and reflected in the Management monthly report
Resolution of a complaint undergoing investigation	Maximum 30 days of receipt of complaint
Appeal process	Within 30 days of decision

5. INVESTIGATING A COMPLAINT

If the complaint is to be further investigated, the World Service Investigation Guidelines are the basis for the proper action and procedures to be taken.

Operational complaints not needing a formal investigation will go through the normal process of action and decision making by the Representative in consultation with the Country Program management team.

6. CONFIDENTIALITY

World Service recognizes the confidentiality is critical to a satisfactory outcome as it protects the privacy and safety of the concerned individuals. The facts and nature of the complaint, the identity of the key participants and the investigation records are confidential.

- Information should not be disclosed unless the person who has provided the information has given written, explicit consent to disclose the information.
- Particular care must be taken where the complainant's record contains information provided in confidence by, or about, a third party who is not an LWF employee.
- Disclosure of information provided by a third party outside the LWF also requires the expressed consent of the third party. If the third party objects then the information can only be disclosed where there is an overriding public interest in doing so. It is not appropriate for someone to make

this decision on his/her own. Legal or other advice must be sought

World Service shall only allow disclosure when:

- It is required or permitted by law
- It is required by management in the best interest of the organization and parties involved

7. MONITORING AND EVALUATING THE COMPLAINTS MECHANISM

7.1 The use and relevance of the complaints mechanism shall be monitored. The World Service Program Officer for Quality Assurance and Accountability will be responsible for monitoring the World Service Complaints Mechanism in coordination with the country program focal point person. This will be monitored: through liaison with staff at all levels; in promoting the philosophy behind the procedure throughout the World Service; by involvement in training programs; and by contributing to various means of quality assurance and accountability.

7.2 This may include local initiatives with staff such as a Complaints Handling Committee and focal persons, exploring in detail how resolved complaints were handled to identify any possible lessons, improvements to complaints handling or suggestions for changes in practice, as well as good practice examples.

7.3 The World Service Complaints Mechanism Policy and Procedure will be formally reviewed every three years. Critical lessons learnt and suggestions for improvement should be considered as appropriate and relevant when there is a need to upgrade the system.

Appendix 1: Glossary of Key Terms

Abuse of power

Viewed positively, power is the ability to act, especially in ways that respect and empower rather than dominate and oppress others. Those in positions of authority or trust are expected to carry this out in responsible and just ways that do not take advantage of others, especially those who are more dependent or vulnerable. This includes other staff persons, beneficiaries, and others related to the organization. In most situations, because of unequal power related to gender and age, women and children are particularly vulnerable. Abuse of power is manifested in how those with less social power are treated physically, psychologically, emotionally, and/or sexually. Sexual activity, even when consensual, between those of unequal power in this sense is an abuse of power.

Accountability⁵

Taking responsibility towards affected populations and primary focus groups, staff, governance and external stakeholders, for actions undertaken, decisions made, and policies complied with.

Complaint

A complaint is an expression of concern or dissatisfaction by an individual or a group, related to possible misconduct by World Service. This could be in relation to program activities or conduct of its personnel, how LWF works with the communities or affected population and partners, or when World Service policies and guidelines are not respected.

Complainant

is the woman, man, girl, boy or team of people who lodge(s) a complaint.

Corruption

As a particular form of the abuse of power, corruption is the abuse of one's position for private gain, such as misusing the financial and other resources of the organization. The offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the action of any person is also to be considered as corruption.

Criminal Offence

is understood as deliberated acts which put in danger the life and physical integrity of any person. It is a breach of one or more State rules or laws that may ultimately prescribe a punishment.

Fraud

is an intentional distortion, deceit, trickery, and perversion of truth or breach of confidence, relating to an organization's financial, material, or human resources, assets, services and/or transactions, generally for the purpose of personal gain or benefit.

Gender and power

Gender is the English word being used to describe cultural/societal differences between males and females in terms of roles and responsibilities, expectations, power, privileges, rights, and opportunities. "Gender" refers to the differences between males and females that are rooted in culture, tradition, society, and religion. Gender is something that is learned from infancy. An individual or

⁵ From the LWF/DWS Accountability Framework, Chapter 6, Section I (Program Management and Operations) of the LWF/DWS Operations Manual.

society's gender perspective can change. Unequal power relationships provide the basis for sexual exploitation and abuse. Due to their unequal status, women and girls are particularly at risk of sexual exploitation and abuse. However, it is important to recognize that boys are also vulnerable to sexual exploitation and abuse.

Harassment

Harassment means any unwelcome comment or behavior that is offensive, demeaning, humiliating, derogatory, or any other inappropriate behavior that fails to respect the dignity of an individual. Harassment can be committed by or against any beneficiary, partner, employee or other individual visiting LWF.

Physical abuse

is abuse involving contact intended to cause feelings of intimidation, pain, injury, or other physical suffering or harm.

Psychological abuse

also referred to as **emotional abuse** is a form of abuse characterized by a person subjecting or exposing another to behavior that is psychologically harmful. It involves the willful infliction of mental or emotional anguish by threat, humiliation, or other verbal and nonverbal conduct. It is often associated with situations of power imbalance, such as abusive relationships and child abuse.

Sexual abuse

means the actual or threatened physical intrusion of a sexual nature whether by force or under unequal or coercive conditions (UN SG Bulletin, 2003)

Sexual exploitation

Sexual coercion and manipulation (includes all types of sexual acts) by a person in a position of power providing any type of assistance in exchange for sexual acts. In these situations, the potential victim believes she/he has no other choice than to comply; this is not consent and it is exploitation. Exploitation is using one's position of authority, influence or control over resources, to pressure, force or manipulate someone to do something against his/her will or unknowingly, by threatening them with negative repercussions such as withholding project assistance, not approving an employee's work support requests, threatening to make false claims about an employee in public, etc. Sexual exploitation is any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual harassment

Sexual harassment means any unwelcome sexual advance, comment, expressed or implied sexual demand, touch, joke, gesture, or any other communication or conduct of a sexual nature, whether verbal, written or visual, by any person to another individual within the scope of work. Sexual harassment may be directed at members of the same or opposite sex and includes harassment based on sexual orientation. Sexual harassment can occur between any one or more individuals, employee or beneficiary, regardless of their work relationship.

Subject of the Complaint

is the individual or team who are alleged to have been involved in minor or serious misconduct or malpractice.

Witness

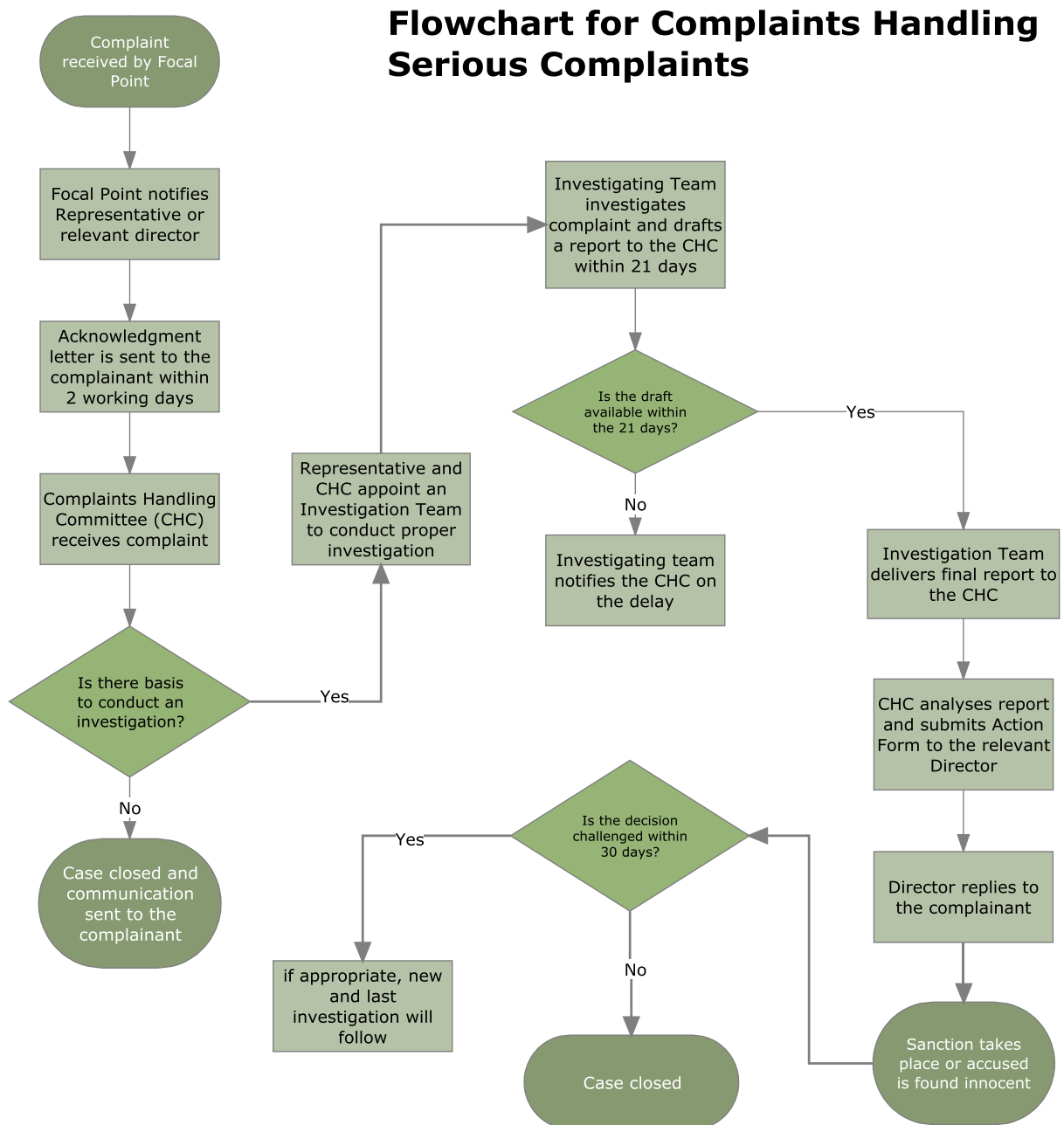
is someone who has firsthand knowledge about a crime or dramatic event through seeing, hearing, smelling, or touching and can help certify important considerations to the crime or event. It is important

to remember that a Subject of Complaint is treated as a witness until proven to have committed a breach of conduct or a crime.

Zero tolerance

is the principle and practice of not tolerating any instance of sexual exploitation and abuse, harassment, abuse of power, fraud and corruption in all of our activities and responsibilities, at the organizational or program level in our humanitarian, development and advocacy work, and applying rules and penalties for breaches or violations.

Appendix 2: Flowchart for Complaints Handling – Serious Complaints



Appendix 3: What a Complaint Mechanism Entails

- A Complaints Mechanism is supported by governing body and senior management and appropriate resources, including human resources devoted to this purpose
- Affected population and host communities are consulted regarding appropriate ways to make complaints
- The organization finalizes its complaints handling policy and procedures based on local input
- Staff and affected population are trained in the processes and procedures
- Complaints are submitted to established entry points
- Complainant is acknowledged
- Complaints are reviewed
- Feedback is given
- Both complainant and accused may appeal the decision
- Information from complaints is continuously fed into project improvement
- The Complaints Mechanism is evaluated and adjusted according to lessons learnt

Characteristics of an Effective Complaints Mechanism*

Safety – considers potential dangers and risks to all parties and incorporates ways to prevent injury and harm

Confidentiality – restricts access to and dissemination of information, requiring that information is available only to a limited number of authorized people (generally members of the complaint handling committee of the organization) for the purpose of concluding necessary investigations.

Transparency – LWF staff and persons of the affected community know it exists, and possess sufficient information on how to access it. People of concern should be able to speak to member staff regularly about the operation of the complain mechanism and know who in the organization is responsible for handling complaints and communicating outcomes.

Accessibility – allows the mechanism to be used by as many people as possible from as many groups as possible in places where LWF/DWS is operational. Communities must set up their own complaints procedures, must be told how to complain and be actively encouraged to make complaints when problems arise.

Quality of information – should be accurate, and have a clear sequence of events.

Verifiability – to ensure that the information is reliable.

Timeliness – of reporting, and related follow-up measures, must be ensured.

Assistance to those reporting – should be a part of the complaints mechanism, to deal with possible psychosocial, medical and other needs.

Documentation – the importance of objective, reliable documentation is critical.

Appendix 4: Complaint Form

CONFIDENTIAL

**Lutheran World Federation
Department for World Service**

This form should be completed by the person wishing to lodge a complaint or documented by a third party. All information must be held securely and confidentiality must be maintained at all times

File Number: _____

A: General data

1. Name of the person lodging the complaint _____ Sex _____ Age _____
2. Address: _____
3. Tel: _____ email: _____
4. Name of the person you wish to lodge a complaint against (if known): _____
5. Date of incident _____ Time of incident _____
6. Place of incident _____
7. Date of reporting _____ Time of reporting _____

B: What is the complaint? (State the nature and key issue of the Complaint)

C: Brief description of the incident or concern (State what exactly happened, trying to follow the sequence of events from start to finish; If the incident location is not well known, describe the location based on your memory of it; Give a description of the 'subject of complaint' if you do not know her/his name;

D: Name of witnesses (if any) Supply the names of witnesses and where they can be contacted, if known;

E: State what kind of a response you expect from LWF and how you wish to see the matter resolved

Name and Signature of Complainant: _____

Date: _____

Case referred to: _____ Date referred: _____

Name and signature of LWF Staff responding to the Complaints _____

Describe action taken: (provide detailed information example, if medical assistance has been provided, what psychosocial care has been provided and whether a report has been made to the Police.)

Appendix 5: Where to send your complaints

Hotlines and e-mails

World Service Geneva Secretariat

- +41 22 791 0000 or complaints@lutheranworld.org

Communication to:

Ms. Petra Feil – Quality Assurance and Accountability – FOCAL POINT
(+41 22 791 6445) – pfe@lutheranworld.org

- Mr. Eberhard Hitzler – Director
(+41 22 791 6436) – ehi@lutheranworld.org
- Mr. Barry Lynam – Finance Coordinator
(+41 22 791 6449) – bly@lutheranworld.org