

THE PRIMATE'S WORLD RELIEF AND DEVELOPMENT FUND

Complaints Policy and Procedure

1. Introduction

The Primate's World Relief and Development Fund (PWRDF) promotes accountable and transparent ways of working with all stakeholders. It encourages its staff and partners to address stakeholder concerns quickly and effectively so that issues are resolved to the satisfaction of the concerned person(s) and do not progress to the level of a complaint.

In an effort to achieve high quality, PWRDF strives to meet and even surpass the expectations of its stakeholders, i.e., the PWRDF constituency, PWRDF partners, communities with whom PWRDF partners work, donors, and the public. There may however, be occasions when PWRDF does not meet the reasonable expectations of all stakeholders at all times. PWRDF stakeholders have the right to raise concerns, give feedback and, if necessary, lodge a complaint when this occurs.

2. Purpose

The purpose of the PWRDF Complaints Policy is to:

- recognise, promote and protect PWRDF stakeholder rights, including the right to raise a concern, give feedback and/or complain;
- provide clear policy guidance for responding to and resolving complaints;
- strive for high quality and continuous improvement in PWRDF's programs and services and;
- increase the level of stakeholder satisfaction with the work of the PWRDF.

3. Guiding Principles

The complaints process is guided by the following principles:

1. *Accessibility*: Information about the complaints process will be readily accessible and is easy to understand and use
2. *Timeliness*: Complaints will be dealt with fairly, appropriately and in a timely manner.
3. *Accountability and Transparency*: Complainants are informed about the process used to address their concerns and about the decisions relating to the complaint.

4. Key definitions

A number of key terms are used throughout this document: concerns, complaints and feedback. For the purpose of this policy they are defined as follows:

Concern: A concern is an informal communication or question made to PWRDF regarding a person or some aspect of PWRDF's work and expresses a hopeful resolution to the issue.

Complaint: A concern becomes a complaint for PWRDF when a PWRDF policy is violated. There are three categories of complaints:

- *Sensitive Complaints related to allegations of sexual exploitation and abuse, fraud and corruption or other gross misconduct.*
The policy supports the confidential handling of information related to sensitive complaints. It also ensures that sensitive complaints are addressed by senior management and complaints in relation to sexual exploitation and abuse are reported to the police as required by law.
- *Anonymous: Complaints lodged by a person who does not reveal her/his identity*

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In principle PWRDF does not accept anonymous complaints. However, PWRDF recognises that at times people with genuine concerns feel they can't speak out because of special circumstances and may wish to lodge a complaint without revealing their identity. In extraordinary circumstances where it is evident there are grounds for further action PWRDF can give consideration to anonymous complaints.

- *Malicious Complaints that the complainant knows to be false.*

PWRDF operates under the assumption that all complaints are made in good faith and are not motivated by intent for personal gain, personal interest or a grudge. However, should a subsequent investigation reveal a complaint to be malicious, any investigation underway must be stopped immediately and the Subject of Complaint (SoC) cleared. Complaints lodged for genuine reasons that are subsequently considered to be unfounded shall not be treated as malicious. If a malicious complaint is made by an employee of PWRDF, disciplinary measures will be taken.

Feedback: PWRDF distinguishes the term 'complaint' from 'feedback'. Feedback is any positive or negative statement of opinion about someone or something – an opinion shared for information. It may be expressed formally or informally and may or may not require a response.

5. Obligation to disclose

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

6. Creating a safe environment

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

- without any risk of losing their employment or entitlements or suffering any form of retribution in the community or workplace;
- knowing that harassment or victimisation will not arise from raising a genuine concern - and if it does, to know that PWRDF will deal with it as a disciplinary action and;
- knowing that complaints will be addressed in a confidential manner.

PWRDF aims to ensure that complaints are addressed fairly, appropriately, and in a timely manner.

Complaints classified as sensitive complaints, such as allegations of sexual exploitation and abuse, are handled confidentially and according to legal requirements.

7. Confidentiality

PWRDF recognises that confidentiality is critical to a satisfactory complaints handling outcome because it protects the privacy and safety of the complainant, the Subject of Complaint and other witnesses. The facts and nature of the complaint, the identity of the key participants and the investigation records are confidential. This means that access to and dissemination of information will be restricted only to a limited number of authorised persons for the purpose of concluding the necessary investigation.

PWRDF shall only allow disclosure when:

- it is required by law;

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- it is agreed by the PWRDF management and/or the board that disclosure of the complaints and actions taken would be in the best interests of the organisation and the parties involved.

Should the matter become public at anytime, the PWRDF governing board shall issue a public statement about the procedures followed and the status and/or the outcome of the complaint review. The board will not release details about the complaint.

8. Lodging a complaint

A complaint should be lodged as soon as possible after the complainant becomes aware of the concern. PWRDF will not accept a complaint more than six months after the alleged incident, except in exceptional circumstances and then only in cases of allegations of abuse, exploitation, gross misconduct or malpractice

Complaints can be submitted verbally (in person or by phone) or in writing. Written complaints can be sent via e-mail, fax or regular mail.

Please refer to Annex 2 attached, for a sample complaints letter format.

Written complaints can be submitted by:

- e-mail: complaintsbox@pwrdf.org
- fax: (416)924-3483, Attention: Director, Finance and Administration
- post: The Primate's World Relief and Development Fund
80 Hayden Street, Toronto, ON M4Y 3G2
- phone: 1-866-308-7973
(416)924-9199, ext. 301 (Director, Finance and Administration) or
(416)924-9199, ext. 264 (Executive Director)

9. Confirmation of receipt of complaint

The complainant shall receive confirmation of receipt of the complaint, where possible, within two (2) days after PWRDF receives the complaint. The email, letter or phone call to the complainant acknowledging receipt of the complaint should include the following information:

- when and how the complaint was received;
- how PWRDF plans to address the complaint (process);
- the name of the person responsible for handling the complaint and to contact with questions or feedback

10. 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 two-way communication between the complainant and the person who received the complaint. The Executive Director or the PWRDF Directors (if the complaint is against the Executive Director) must decide if the allegation needs to be investigated. This can be decided by asking the following questions:

- Does it relate to a breach of PWRDF's policies and procedures (including those to which PWRDF is signatory by virtue of its membership in ACT and the Canadian Council for International Cooperation)?
- Does the complaint constitute a 'complaint' as defined by the scope of the Complaints Policy?
- Is there enough information to investigate?

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11. Feedback on the investigation's outcome

PWRDF will communicate the preliminary outcome of an investigation to the complainant(s), where possible, 10 days after acknowledgment of the complaint. In complex or exceptional cases, the investigation period may take longer. The complainant(s) will, however, be informed if the investigation timeframe is extended due to circumstances beyond PWRDF's control. The complainant will not receive details of the investigation, but will be informed that the complaint has been substantiated and referred to management for a decision on action to be taken, or that the complaint was not substantiated.

12. Appeal process

If the complainant(s) or Subject(s) of Complaint does not accept the outcome of the investigation, he/she/it/they can appeal the decision to the executive committee – a task delegated to the executive committee by the governing board. A letter requesting an appeal should be addressed to the Executive Director, who in turn will inform the Executive Committee. If the Executive Director is implicated in the case, then the appeal letter can be directed to the President of the board. Members of the Executive Committee who may have been part of the investigation team must not be involved in the appeal process.

The Executive Committee should aim to convene the appeal meeting within 30 days of the request for appeal. The meeting will enable the complaint to be heard again. The Executive Committee will then make a decision 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 Executive Committee is final.

13. Follow up and learning

PWRDF shall keep a record of all complaints received from all stakeholders. PWRDF will develop a synthesis report annually of the types of complaints received and the status of their resolution. This report should be submitted to the board. Complaints analysis will feed into PWRDF strategy review and future management decisions. Names of complainants, organisations, witnesses, and Subjects of Complaints will not be revealed in public reports.

This policy may be amended by the Board of Directors.

Approval Date: May 3, 2013

Last Revision Date:

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Annex 1: Suggested complaint letter format

This form should be completed (or adapted) by the person or organisation wishing to lodge a complaint. (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 laws, confidentiality, reporting and investigation procedures.)

A: General data

1. Name of the person or organisation lodging the complaint

2. Address:

Tel:

email:

3. Brief description of the incident or concern

4. Name of the person you wish to lodge a complaint against (if known and if the complaint is about an individual)

5. Date of incident _____ Time of incident _____

6. Place of incident _____

7. Date of report _____ Time of report _____

8. Name and contact of witnesses (if any/ and if relevant)

9. State what kind of response you expect from the PWRDF and how you wish to see the matter resolved

(Name) Signature _____

Date: