CHAPTER 1A - INTRODUCTION
INTRODUCTION

Offering beneficiaries a channel through which they can provide feedback and raise complaints about the assistance they receive is generally regarded by humanitarian agencies as an important part of being accountable. In spite of this, a complaints mechanism (CM) understood as a formalised system addressing grievances is a relatively new concept within the general humanitarian sphere.

A CM seeks to provide a safe opportunity to raise valid concerns and to have concerns addressed objectively against a standard set of rules, resting in the values and commitments of the agency.

For many agencies, the setting up and running of a CM in a humanitarian context brings with it a new manner of interaction between the agency and its beneficiaries. One consequence of setting up a CM is often a more extensive and proactive approach to the way in which programme objectives and agency commitments are communicated to the beneficiary population.

However, this usually implies an adaptation of the existing system, rather than the setting up of something entirely new. To add value to the programme and for the CM to have the best chances of success, it should integrate existing practices, such as beneficiary involvement and communication strategies, that are already present in the programme. To the extent possible, the CM should build upon local structures and systems of addressing complaints and dealing with grievances. In the eyes of the user, this will facilitate and strengthen the legitimacy of the mechanism.

In some contexts, a formal system managed by an unbiased stakeholder forms the most proper system. In more traditional contexts such as clan-based societies, other models might prevail and be regarded as legitimate. Given the differences from one operation to the next, one standard CM cannot be developed to fit all programme contexts. Issues such as literacy levels, the type of assistance offered, protection gaps, the culture of dealing with grievances, available resources, security levels, agency operational approach etc. all influence how a CM should be designed, managed and communicated.

Objective of the handbook

The main objective of this handbook is to offer practical solutions to the challenge of setting up and managing a successful CM. The handbook provides a Step by Step guide, including a number of practical tools and exercises to facilitate the process, and it contextualises the concept of a CM and presents some of the added values and opportunities that a CM offers in a humanitarian context.

As the local context needs to be carefully analysed in order to succeed, the hand-

book does not offer a catch all solution. Rather, it helps the user to design a tailored CM through prompting necessary questions and offering different solutions.

The handbook is based on a set of minimum requirements that need to be observed by agencies in order to ensure that the CM is of a satisfactory quality and that the resulting benefits are materialised. By setting a minimum standard, a common understanding of the concept of the CM and a certain quality level are guaranteed. This will allow users, donors and host communities / authorities to know what they can expect when the agency claims to have a CM. It will also enable the agency to monitor, and hence document, that the minimum requirements presented in this handbook are met.

Another reason for working with minimum standards is to ensure the protection of beneficiaries. A poorly designed and managed CM has the potential to endanger those it was intended to benefit and protect. This is especially the case when working in contexts where the safety of the individual is at stake, and / or when the safety of the individuals or the group rests on the fact that the subject of their complaint remains confidential. Disrespect for the basic confidentiality of the complainant could result in the leaking of sensitive information and the deterioration of the complainant's situation.

How to use this handbook

Due to the difference in programme contexts, and hence the difference in the steps required to set up a CM, not all the Tools and Annexes presented here will be of universal and equal importance. In terms of the intended audience of the handbook, there are roughly three groups of readers, with the following predicted levels of interest.

The newcomer, or those curious and simply wishing an introduction to CMs, would benefit from reading through the documents presented in Section 2.

The practitioner, who is about to establish a CM. The practitioner is advised to read Section 2, and subsequently progress to the Step by Step guide in Section 3 and the relevant Tools and Annexes presented in Sections 4 and 5. Section 3 includes recommendations on how best to involve agency staff and users of the CM in its design and management.

The manager of a CM already in place, who may wish to identify weaknesses and make improvements to his agency CM. For the manager, it may prove relevant simply to skim through the Tools documents in Section 4 for inspiration and to read one or two of the concrete steps addressing their specific issue of interest.

Throughout the handbook, references to other documents are made as chapter references followed by code reference. This means that a reference made to, for example, the Tool on mapping complaints, will read "Tool 4C". Please refer to the

complete introduction of the Tools and Annexes in the next chapter.

All material contained in this book is available in the attached CD-ROM, including Tools, Annexes and a PowerPoint presentation relevant for workshops. The webpage www.drc.dk/cm will provide an opportunity to find lessons learned from other contexts.

Copying of the material in parts is allowed against proper reference.

How this handbook was developed

The handbook has been developed by Danish Refugee Council (DRC). Throughout the process, the Humanitarian Accountability Partnership (HAP) has been consulted in order to ensure compliance with the minimum requirements under the HAP principles. It has been developed on the experiences from DRC's international programme portfolio, consultative talks with various key informants and recommendations generated, for example, from a workshop facilitated by DRC and HAP in 2006.

Initially, the material was made to facilitate the establishment of CMs in all DRC international projects due to the lack of a concrete "How to" guide. Following extensive interest shown by other agencies and stakeholders, however, the material was adapted for a wider audience of humanitarian agencies.

Feedback – please!

Has the last been said with the development of this handbook? No. To date, the handbook constitutes a first effort to draw up an easy and practical guide, but as the tools and exercises are tested more thoroughly in the field, elements and sections will need to be changed and improved. There are some shortcomings in this material, most notably the absence of a database to manage complaints and from which statistics can be generated. Such has yet to be developed.

For these reasons, you are encouraged to share your experience and advice both in terms of using the handbook, the resulting documents that you have developed and in suggesting improvements for the material. You are also welcome to share own best practises and tools. Please provide your input and feedback at cm@drc.dk. The material remains in working progress, and updates will be available through DRCs website, www.drc.dk/cm.

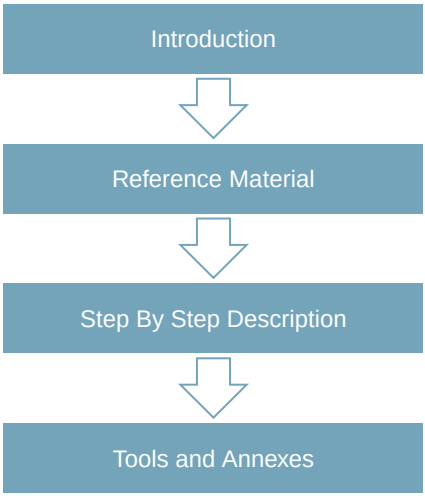
On behalf of DRC, I would like to express my sincere thanks to everybody who have provided input and support for the development of the "Complaints Mechanisms: Handbook on how to set up and run a Complaints Mechanism in the field".

Happy reading and good luck with the development of your CM.

Christian Jacob Hansen
Danish Refugee Council,
Copenhagen, October 2008

CHAPTER 1B - INTRODUCTION
THE FIVE SECTIONS OF THE HANDBOOK

This handbook has been developed as a step-by-step description, taking the user through a simple and straightforward process of identifying and answering the key questions necessary for setting up a CM in humanitarian contexts. It consists of five main sections, as follows:



- 1. Introduction: An introduction to the handbook (1A) followed by a more thorough presentation of the Tools (1B).
- 2. Reference Material: Background to understanding the CM in a wider context. In addition to introducing mainly programme staff with a general view of various aspects of a CM, this section is also relevant for HQ staff, donors and members of the general public interested in knowing the basic elements of a CM. 2C links the HAP Benchmarks with relevant sections of the handbook.
- 3. Step by Step: The main document for the practitioner. This takes you through 11 Steps and will lead you through a process from generating support for the initiative to answering all the relevant questions in relation to setting up a CM.
- 4. Tool Box: The Tools constitute a number of concrete techniques for use with the Steps in Section 3. Where relevant, the Tools will be referred to in the Step by Step description.

- Tool 4A The Concept of Complaining in Perspective. This is a small exercise to introduce and demystify the concept.
- Tool 4B Choosing Sectors. A Tool to analyse a project's components within a country programme, in order to identify which sectors should become subject to a CM.
- Tool 4C Mapping Complaints. A brainstorming exercise that provides rough impressions about potential complainants and complaints.
- Tool 4D Setting up a Complaints Handling System. Describes necessary considerations to take when designing a complaints handling system.
- Tool 4E Suggested Indicators, Means of Verification and Activities. Matrices providing inspiration for concrete indicators, means of verification and activities in order to comply with minimum outputs.
- Tool 4F Presentation of Complaints Mechanism, including guide. A PowerPoint presentation and a guidance note for the facilitator prepared on the basis of Reference 2A.

» 5. Annexes: The Annexes are developed to facilitate and support the process of undertaking the Step by Step process. The Annexes are referred to, when relevant.

- Annex 5A Choosing Sectors. Template to be used with Tool 4B.
- Annex 5B Mapping Complaints. Template to be used with Tool 4C.
- Annex 5C Who will have Access to Complain? Template to be used with Step 3.
- Annex 5D User and Appeals Matrix. Template to be used with Tool 4D.
- Annex 5E User Entry Points for Complaining. Template to be used with Step 5.
- Annex 5F Complaints Form. Suggestion for a format to be used for non-sensitive complaints.
- Annex 5G Means of Communication as per Potential User. Analytical tool to identify best possible means of communicating to different types of users.
- Annex 5H What to Communicate to Users. Exercise to generate information relevant to communicate in the local context (group exercise).
- Annex 5I Developing an LFA. Template to develop an LFA for the complaints mechanism.

On the next page, please find a complete list of the 11 Steps to take to develop a CM, linked to relevant Tools and Annexes.

Step 1	• Objective: To define the purpose and ensure that those involved have the right understanding of the objectives of the CM. • Output: Preliminary list of points why the agency wishes a CM • Tools: Tool 4A – The Concept of Complaining in Perspective Tool 4F – Presentation of Complaints Mechanism incl. guide Annex 5I – Developing an LFA
Step 2	• Objective: To define what constitutes a valid complaint that the agency will accept by analysing complaints raised against the agency and its activities. • Output: Map the type of complaints, complainants, aspects of relevance etc. • Tools: Tool 4B – Choosing Sectors Annex 5A – Choosing Sectors template Tool 4C – Mapping Complaints Annex 5B – Mapping Complaints, template
Step 3	• Objective: To identify the stakeholders who should have access to use the CM, through analysing who is affected by the agency's activities. • Output: List of stakeholders who will have access to complain. • Tools: Annex 5C – Who will have Access to Complain
Step 4	• Objective: To design the systems capable of handling the different types of complaints and complainants (the Complaints Handling System). • Output: CHS design, and a table of entry points and the appeals structure. • Tools: Tool 4D – Setting up a Complaints Handling System Annex 5D – User and Appeals Matrix
Step 5	• Objective: Based on analysis of the local context, to decide how and through which entry points the user of the CM should be able to submit complaints. • Output: List of different complaint entry points and how complaints should be made. • Tools: Annex 5E – User Entry Point Analysis
Step 6	• Objective: To decide in which form the complaints can be submitted – written and/or verbal – and relevant information to be conveyed when complaining. • Output: Draft Complaints Form(s) • Tools: Annex 5F – Complaints Form
Step 7	• Objective: To describe the internal agency cycle that the complaint undergoes from receiving the complaint, processing and responding. • Output: A map / description on the Complaints Processing Cycle.
Step 8	• Objective: To decide on the procedure and persons to investigate complaints, especially in terms of sensitive and non-sensitive complaints. • Output: Considerations made on how to investigate complaints.
Step 9	• Objective: To consider how and what to communicate when responding to complaints. • Output: Input for consideration.

Step 10	• Objective: To decide on what and how to communicate to the users of the CM in terms of making an information campaign. • Output: A description of what and how to communicate. • Tools: Annex 5F – Complaints Form
Step 11	• Objective: To develop an LFA summarising how the CM respects the minimum requirements related to the establishment and running of a CM. • Output: An LFA. • Tools: Annex 5I – Developing an LFA.

CHAPTER 2A - REFERENCE MATERIAL
COMPLAINTS MECHANISM CONCEPT PAPER

While many humanitarian programmes almost daily are receiving complaints and providing feedback, a CM as a formalised system is a relatively new concept. The access for beneficiaries to provide feedback and to complain about the assistance provided is nowadays regarded by humanitarian agencies as an important part of their accountability. Some agencies have tried to address the issue of complaints handling in a more formalised manner, but with the inclusion of Complaints Mechanisms (CMs) under the Humanitarian Accountability Partnership (HAP) Principles of Accountability, an additional step has been taken to enable beneficiaries and staff to report complaints and seek redress safely as a means to strengthen accountability based on minimum standards.

This concept paper contributes to the effort of introducing CMs to humanitarian programmes by ensuring a basic mutual understanding about various considerations that need to be made when establishing a CM. This paper consists of 5 parts.

- 1.Definition of a Complaints Mechanism. The definition of a CM, presented and analysed in comparison with the relevant HAP principles. The definition of a CM is presented, and introduced.
- 2.What are the benefits of a Complaints Mechanism? A closer look at a CM, conceived of as a formalised set of rules (as opposed to mere feedback), and examination of some of the opportunities and positive aspects presented when making a CM.
- 3.What are the risks of a Complaints Mechanism? A closer examination of the risks and potential challenges in setting up and managing a CM.
- 4.General characteristics of a Complaints Mechanism. An introduction to the general considerations necessary to make, 1) prior to the establishment of a CM, 2) when the complaint is filed, 3) when the complaint is processed and 4) when redress/response is provided, and finally 5) with respect to the elements to be learned from the complaints processing.
- 5.Three examples of Complaints Mechanisms. An introduction to three types of CMs in order to illustrate the variety and differences worthy for consideration in different contexts.

1. Definition of a Complaints Mechanism

As part of the effort to strengthen accountability to beneficiaries, a number of humanitarian agencies joined HAP in 2004. Membership of HAP is binding in the sense

that members commit themselves to abide by the Principles of Accountability.

The HAP principles are related to aspects of beneficiary accountability and are formulated fairly generally, but supported by concrete Benchmarks. In accordance with Principle 6, members enable beneficiaries and staff to report complaints and seek redress safely. The implication of this principle is described more thoroughly under Benchmark 5[1] . The HAP initiative is one among others focusing on complaints.

The development of a definition of a CM via this material has been guided by and inspired by other initiatives, including considerations about what is practical and manageable in the field. Based on these analyses, one definition applicable for all CM has been developed:

> Simple procedures and mechanisms that give users access to safe means of voicing complaints on areas relevant and within the control of the agency.

Yet with this definition, a number of aspects need to be clarified. The wording emphasises the need for the mechanism and its procedures to be simple. It is implicit in the definition that beneficiaries have access to voice complaints and that by voicing complaints, the complainant will have redress / a response. In addition to the beneficiaries having access to complain, it needs to be decided and defined who else has access to use the CM. As a matter of principle, stakeholders should have access to complain as they can be affected by the agency's work. In this context, the stakeholders who form the class of potential beneficiaries, donors, NGOs, host communities, agency staff members etc. are among those relevant to consider.

Furthermore, the definition of the CM highlights that the complaint must be both relevant and within the control of the agency. These elements are logical, as a complainant would not be interested in filing complaints on issues that the agency neither can nor will change. This limitation, though, increases the need for clarity in the scope of the CM and of informing beneficiaries about possible limitations of the CM.

In order to make the definition more concrete, it has been translated into four more concrete outputs. The following outputs are mandatory to comply with and are introduced more thoroughly throughout the Step by Step description:

Outputs

1. The procedure, purpose and parameters of the CM have been communicated and made available to relevant stakeholders.

2.Intended users have safe and easy access to use the CM.

3.Logical and easily-understood procedures are developed for submission, processing and response / redress of complaints.

4.Complaints are processed by a competent body guided by transparency, confidentiality and impartiality.

2. What are the benefits of a complaints mechanism?

The term complaint alone can be misleading and problematic, and sometimes even more so when translated into local languages. In some European countries, the term "ombudsman" would be more appropriate. In the Middle East, reference to "divan al matalem" would be well received as a familiar and trusted institution. A "complaint" is often understood in a negative and confrontational sense, which is why considerations have been made on whether to change the concept to something else (e.g. Feedback Mechanisms). Though the term "Complaint Mechanism" can be misleading, feedback and CM have different characteristics.

Yet as a concept, a CM is more formalised. It must allow more serious grievances or issues that may need to be investigated and processed more thoroughly, impartially and confidentially. The CM seeks to provide an opportunity to safely address a specific matter and to have this matter processed objectively on the basis of a standard set of rules.

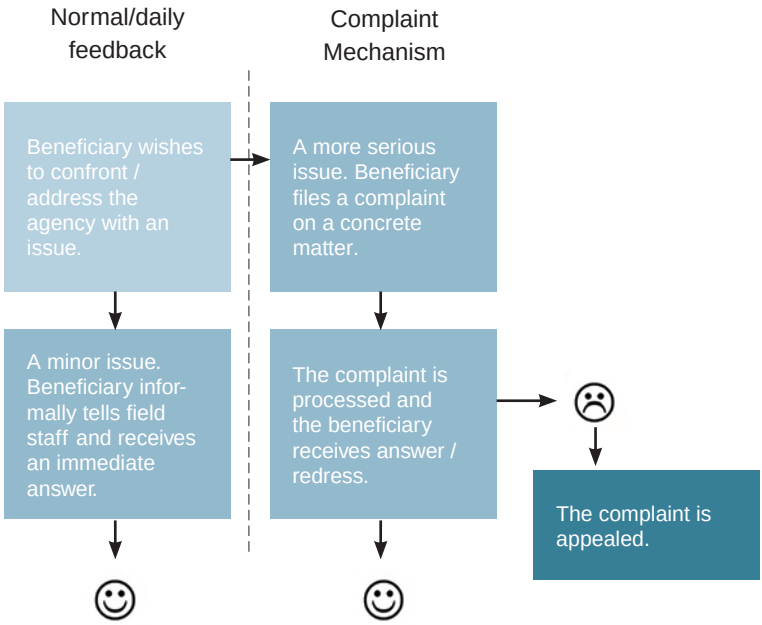
Feedback, on the other hand, is generally less specific. It does not involve the same formalised procedure of processing the information and does not necessitate a response. Feedback can be both positive and negative.

"A CM seeks to provide a safe opportunity to raise a valid concern and to have this concern addressed objectively against a standard set of rules resting in the values and commitments of the agency".

Processed complaints can and should also "feed back" adjustments to the programme, but it is important to distinguish between the two. The more general process of getting feedback through evaluations and monitoring does not respect key elements of a CM. Feedback remains an important part of interacting with beneficiaries, while addressing the CM in many situations will constitute a "last" option.

The differences between complaints and feedback can be illustrated, as below. Crucially, the complainant naturally can choose to address an issue / grievance directly to the CM without first informing field staff (as the field staff may indeed be the object of the complaint).

Figure 1.



Looking into the benefits of the CM, the most important is the strengthened sense of accountability towards beneficiaries in terms of being provided with better quality of assistance and better usage of resources. Strengthened accountability, though, can be achieved through various means that ultimately contribute to better impact and materialises through better interaction between beneficiaries and the agency.

Below, the aspect of accountability in terms of a CM is highlighted along with a few other potential benefits of the CM in a humanitarian context.

2.1 CM - a dignifying mechanism

Mechanisms of dealing with complaints are not new. The private / commercial sector has been using CMs for years. The hotlines of telephone companies, the "whistle-blower" initiatives of world banks and the ombudsman institution of Denmark and other countries constitute examples[2]. Even the small "suggestions box" and the tick-off cards seen in restaurants can be regarded as a type of CM. All are used to identify weaknesses and wrongdoings in the product or service, and to signal that the company / service provider recognises that mistakes can happen and should be rectified. Though all do not respect basic requirements, such a CM is dignifying for the user as the companies / service providers hold themselves responsible to the

promises, principles and products / services given to their consumers.

Through establishing a CM, a humanitarian agency is expressing a wish to arrive at some of these "corporate" values in strengthening accountability. By setting up a CM, agencies acknowledge that some people may have been missed when selecting beneficiaries or that some vulnerability criteria may have been neglected etc. With the CM, the agency states that it is prepared to - and interested in - correcting mistakes to improve the programme and the rights of the beneficiary.

2.2 CM as a separate project component

In an often non-functioning society, a CM is a civilised, respectful and sometimes the only non-violent manner to deal with grievances. In this respect, a CM supports basic functions of a society, sending a message that power and influence is not decisive for the outcome when someone feels that he/she did not receive the product promised, or dignified treatment.

From this perspective, a properly established CM can in many humanitarian contexts constitute a separate (fundable) project component. As humanitarian agencies and development organisations often operate in very volatile environments where fair and equal systems of dealing with complaints often are non-existent, a CM can constitute a model to show alternatives, or as a first step ultimately to set up a court system. The CM could constitute a component within a larger project, which focuses on generating awareness among the population about their rights, or to draw attention to particular problems which are handled ineffectively. Furthermore, realising that grievances eventually will arise in all contexts where humans are involved, the setting up systems to receive and process complaints is an important aspect in ensuring, for example, the sustainability in NGO networks and other capacity building initiatives as to the continuation of the constructive co-operation.

It is important to be aware that the CM as generally presented throughout this paper is a relatively Western way of thinking – especially if not carefully adapted to the local context and customs. When including a CM as part of a project, it is particularly important that the user population is involved in the decision to establish it, as well as its design.

2.3 CM as an early warning indicator

Private companies regard CMs as a tool that enables them to deal with a problem before it escalates (i.e. an instrument that helps them to avoid lawsuits by solving issues before the customer takes legal action). From this perspective, a CM can save a company from not only lawsuits, but negative media coverage owing to, for instance, dissatisfied customers not being able to complain directly to the company and out of frustration addresses the local news paper. The nature of humanitarian work is different in many aspects, starting with the fact that the beneficiaries rarely

have these options or the resources to hold the humanitarian "service provider" responsible in a public legal system and in medias. The frustration and sense of mistreatment, though, remains!

The CM can function as a lightning conductor. Allowing for complaints to be addressed and processed objectively, according to a procedure that has been made public, a CM can serve to rectify minor and unintended mistakes or injustice as well as simple misunderstandings that could generate rumours. Such rumours can be very problematic in relation to accessing communities or vulnerable groups if the beneficiaries - rightly or wrongly - distrust the agency. Furthermore, rumours can develop into threats and acts of retaliation against staff if no channels exist for settling issues of grievance or misunderstanding. If accepted by the local community and beneficiaries, the CM can act as this canal.

2.4. CM from a cost-benefit perspective

The CM can be cost-effective in a humanitarian context too, as it constitutes an organised system for interaction with persons / beneficiaries. All field programmes are frequently approached by beneficiaries and potential beneficiaries who wish to complain. These interactions can be time-consuming and difficult for both field staff and management when receiving a steady stream of visitors and complainants demanding answers to outstanding issues of various kinds.

Through establishing a formalised and institutionalised system (known to beneficiaries) that receives and addresses complainants, it becomes legitimate and still dignifying to refer people to the CM. Not only is the user sure that their complaint is handled by a competent body, but it is equally important that agency staff avoid spending extensive time making often unsubstantiated promises and excuses when required to make an immediate response.

2.5 CMs are complementing impact monitoring

The process of defining the scope of the CM can help the development of impact indicators and monitoring activities since designing a CM involves analysis of the agency's promises and commitments. Whereas the process of impact monitoring involves the agency actively going to the field to measure and verify that outputs and objectives have been met, the CM invites beneficiaries to come to the agency to report about issues that may not have been taken into consideration when designing the monitoring framework or plan.

Impact monitoring will naturally only focuses on elements identified and defined by the agency, while the CM ideally should invite complaints about issues that the agency may be unaware of (such as unforeseen and unintended side effects of a certain intervention).

As such, the CM and monitoring activities are related and should support each other

(but can of course never replace one another). Part of the monitoring process could easily be to inform / remind beneficiaries about their access to use the complaints mechanism. Patterns identified through the CM should be included in the monitoring framework where possible.

2.6 CM as statistic documentation

Complaints should be processed and recorded in a manner whereas patterns feed into the general programme planning (and as such constitute a feedback instrument). By allowing this, the agency gains a valuable mechanism to improve the quality of the programme and hence the funding basis. Such patterns are identified more easily when complaints and grievances are processed though a formalised system e.g. generating statistics through a database to be used in reporting and applications to donors.

The fact that an agency does not receive any complaints, though, cannot be regarded as documentation of a perfectly functioning operation. More likely, the CM has not been set up properly or its existence has not been communicated to its expected users.

3 What are the risks of a complaints mechanism?

The problems that could arise from establishing a CM are mainly the consequences of either a poor/inappropriate CM, or poor/inappropriate communication with the beneficiaries. Poor design and communication could also be the result of wrong, or missing, analysis of the local context, including failure to involve the user population in key decisions.

The potential challenges or drawbacks listed below serves to highlight the fact that one CM cannot automatically be copied from one context to the other, but needs to be carefully adapted for the local context. For this reason, it is difficult to talk about drawbacks in general terms, but rather as potential challenges. The relevant issues to consider when designing and setting up a CM are dealt with in the Step by Step description, but a few general issues.are relevant to mention here.

3.1 Security considerations

Humanitarian agencies are to an increasing extent operating in volatile environments where not only the lives of the affected / vulnerable population are in danger, but those of agency workers, too. Humanitarian agencies can no longer protect themselves behind their status as independent and unbiased, and are to a larger extent being drawn into the conflict (e.g. to generate visibility to the cause of the rebel groups or for ransom). One consequence is that many agencies keep a very

low profile needs to sometimes operate through remote management.

As the establishment of a CM necessitates a rather extensive degree of communication (project information, agency information, valid complaints etc. to be shared with the users of the CM) and beneficiary involvement (design of the mechanism, members of the complaints-handling board etc.), the agency is likely to expose itself and its staff. Refugees fearing eviction may equally feel that they are being exposed by the additional attention drawn to them via a project and the setting up of a CM.

> The beneficiaries of humanitarian assistance in volatile and dangerous environments have of course the same rights to accountable assistance and to complain as those living in more safe areas, but safety should never be jeopardised for anyone.

The beneficiaries of humanitarian assistance in volatile and dangerous situations have of course the same rights to accountable assistance and to complain as those living in more safe areas, but safety should never be jeopardised for anyone.

A consequence could be that the accepted users of the CM are limited to being the direct beneficiaries of the project (and not potential beneficiaries, local NGOs, authorities etc.). This will allow an information campaign to be undertaken through the use of pamphlets and explanation notes handed to the beneficiaries directly (as opposed to posters and more open campaigns) and the complaints to be submitted through sealed envelopes only (as opposed to information desks or complaints boxes). This may as well result in beneficiaries of the project not having access to the complaints handling board. These are compromises to the optimal CM, but indicate an effort by the agency to secure access to complaining, as opposed to none.

3.2 Protecting the users when dealing with sensitive issues

An aspect of security that deserves particular attention is the protection of a CM's users. The reason is that the CM - if designed and managed improperly - has the potential to endanger those it was supposed to benefit and protect. Working with vulnerable persons and conflict displacement in particular, it is important to be aware about the potential – actual or perceived – risk that the a person takes when using a CM or in being identified as a user.

Not only do information campaigns, visibility and extended agency-beneficiary interaction pose a potential security hazard to agency staff, but to the beneficiary as well. In this respect, the following three points illustrate three areas in which to pay particular attention:

- Disrespect for the basic confidentiality of the complainant, which may result in the leaking of sensitive information or wrong composition of the complaints handling board.
- The information campaign could draw attention to people who do not wish to be known as beneficiaries to the agency (e.g. when protection of rights and refugee status is an issue, in areas influenced by insurgents who see INGOs as part of the enemy, where there is risk of extradition etc.).
- Danger related to travel to the complaints submission point, and danger – real or perceived – from retaliation from the community or head of community for complaining (the mechanism may challenge trust and authority within the community).

The danger is most prominent when working in contexts where the safety of the individual is at stake, and / or when the safety of the individuals or the group rests on the fact that the subject of their complaint remains unknown. Disrespect for the basic confidentiality of the complainant could result in the leaking of sensitive information, leading to a deterioration of their safety or situation.

A country is home to a number of Iraqis without a legal permit to stay and many have been know to be forcefully returned to Iraq when encountering the police.

The police make no special effort to find the Iraqis, but increased attention by agencies to this group could generate a change of policy to a more pro-active effort to identify the Iraqis.

It is the responsibility of the agency to consider these aspects of sensitivity and ensure protection no matter who is using the CM. These problems can be solved by carefully analysing how the complaints are solicited and handled, and also serve to highlight the importance of a sound and carefully designed CM.

In many instances, the CM does not deal with sensitive complaints and it is worth considering whether the CM should allow submission if it is not possible to guarantee the protection the complainant. At the same time, these types of violations often constitute the most extreme forms of breaches of accountability and require the attention that a properly set up and managed CM would offer. It is important to recognise, though, that dealing with sensitive and non-sensitive issues are very different.

It is always the user of the CM who decides if an issue is sensitive or not. Though seemingly non-sensitive to the agency, individual or personal circumstance may make the issue sensitive for the complainant. In some societies, for instance, the

mere fact that a woman voices a complaint could jeopardise the honour of her family or her safety, even though the issue does not appear to be sensitive from the agency's perspective.

3.3 Resources to manage a Complaints Mechanism

Obviously, the designing, setting up and managing of a CM costs – in terms of funding, dedicating relatively senior staff, time etc. This is especially so for smaller programmes, as it may be difficult to make the necessary investments; staff resources are limited and there is a need to focus attention on completing the project at hand within the contracted time-frame.

However, it is important to regard the CM as an investment in quality and accountability, and to regard its importance on the same level as direct outputs, such as non-food kits distributed or the number of wells constructed.

This is facilitated by recognising that impact and results are as well a matter of strengthened dignity to the beneficiaries, since they are allowed to voice their concerns. The agency needs to recognise that quality input from the affected population is part of being accountable and part of improving one's programme. As mentioned above, the well-functioning CM has a benefit in some contexts of improving interaction with beneficiaries and saves resources by bringing the CM into the greater communication and information strategy.

By allocating resources in the budget from the start, donors are likely to support initiatives to strengthen accountability. Resources could be allocated to additional staff, for an information campaign and visibility and for example, external consultancy assistance to provide guidance and training of the staff in setting up and running a CM.

3.4 Complaints Mechanism is a Western concept.

In many of the countries and areas where humanitarian agencies are operating today, the settling of right and wrong is linked to resources, family ties and power. However logical and beneficial it may seem to simply set up a CM to strengthen the weak, from unjust treatement, it could contradict local traditions being both respected and trusted though not democratic.

Humanitarian agencies are often bringing extensive resources to poor communities, which will always have extensive impacts – be they positive or negative. Among the values of allowing people to complain is for the agency to become aware about the negative side-effects of their intervention. The CM is as well a regulatory mechanism in terms of who decides how resources are used - a regulatory mechanism that may work very different for the existing systems. As a consequence, some are empowered while others may feel they are losing control. The power balance of the community is shifted.

A solution is often to de-westernise the CM and adapt the system to the existing traditions by carefully analysing existing structures and involve – to the extent possible – national staff and the user-population throughout the process. The agency as well needs to decide whether the CM actually is part of an effort to change the existing power balance in the community as part of protecting others.

3.5 Fear of being over-burdened

Another concern of many agencies about to establish a CM is the fear of being over-burdened by complaints; that providing access to complaining will generate a massive storm for dissatisfied "customers" simply wishing more - a storm that is more likely to generate such a frustration and dissatisfaction among the users that the sensation of dignity and empowerment will falter because the system cannot cope. However, the problem should not be in receiving of too many legitimate complaints, as these of course would be important for the agency to address. More often, the concern is of over-burdening from illegitimate complaints that are not relevant or are outside the control of the agency.

Assuming that the information campaign has been effective in informing about the scope of the CM, and has specified clearly the types of acceptable complaints, one solution could be to start up slowly with only a minor part of the programme as a way to learn about the complaints culture of users. Another would be to make a complaints handling board, consisting of beneficiary representatives acting as a filter.

An agency is distributing NFI-kits to refugees scattered throughout the country. In order to provide access to complain, a standard letter is included in all NFI-kits providing a brief introduction to the project and the agency. This description is followed by a list of the items included in the kit and a phone number to a Project Officer that the beneficiaries are invited to call should any items be missing / damaged.

This CM may not live up to the minimum requirements, but does, however, constitute a simple system designed to address complaints in a certain operational context.

It remains a fact that over-burdened mechanisms remain the exception when compared to the problem of the intended users simply not using the mechanism (e.g. they may not understand it, are afraid to use it for fear of losing their assistance etc). Normally, the over-burdening and "under-burdening" is the result of an insufficient and inconsistent information campaign or a mechanism not adapted to the local context. What is important to note is that fear of over-burdening is not an automatic

reason why a CM cannot be established; rather, that over-burdening is a matter of design.

It is important to keep in mind that it is not for the sake of the humanitarian agency that CMs are established, but for the users.

4. General Characteristics of a Complaints Mechanism

Based on research by One World Trust[3], an evaluation conducted by HAP of DRC North Caucasus information centres and evidence from the humanitarian context in general, a number of basic elements characterising CMs are outlined and discussed below. The description focuses on considerations necessary to make 1) prior to the establishment of a CM, 2) when the complaint is filed, 3) when it is processed and 4) the provided redress. Finally in 5) are some elements to be learned from the complaints processing[4].

4.1. Internal capacity and scope of the Complaints Mechanism

Establishing a CM for a programme, or parts of a programme, requires willingness by management to allocate resources and to be prepared to change the programme when necessary. Some key elements that need to be considered beforehand are highlighted here and will be addressed in the step by step description.

- The necessary resources are allocated. No matter the size and type of the CM, it will cost funds and time. The process of designing, establishing, communicating and running a system to register, process and finally redress complaints necessitate staff being trained and dedicated to this task.
- Possible effects on the programme. Aside from the benefits of a CM, many areas where humanitarian agencies operate are not used to such institutions. It can be difficult to predict how such a mechanism is received by the local community. Questions that need to be considered when designing a CM include: Do some segments / institutions in the population feel threatened? Does the need for increased transparency constitute a security threat? Is there a danger of the office / CM being over-burdened?
- Communication to potential users. This should cover element such as:
  - Scope of the mechanism. (E.g. does it cover all of the programme or only certain project components?).
  - What constitutes a valid complaint. How are valid criticism and complaints to be distinguished from non-valid ones?
  - Who can file a complaint. (Beneficiaries, possible beneficiaries, stakeholders affected by the activities, media, community members, other NGOs?).

- How and where to publicise information on how to file a complaint.
- How could / should senior management be involved / informed if necessary. (To respect the nature or possible sensitivity of the complaint by functioning as an appeals board).
- Who should be members of the complaints-handling board.

» A description of the complaints process, informing potential users. Following some of the potential problems outlined above it should:

- Outline exactly what can be complained about. (Based on what the beneficiaries can expect and the principles / approach of the project.)
- State what is the procedure and time-frame for complaining. (Easy and safe to use.)
- State the rules governing decision-making and remedy. (Fair process.)

The definition of a CM discussed above indicates that the complaint must be relevant and within the control of the agency. Outlining acceptable complaints is important in order to avoid overloading the CM. Limiting the acceptable complaints, and at the same time allowing unforeseen matters access and redress, is a balance between a usable/relevant mechanism and a manageable mechanism. The more restrictions made to acceptable complaints most often results in lesser value to the user population.

In an operation in North Caucasus, it is possible to complain about 8 very specific issues only. The operation is a large-scale food and non-food operation, with 250,000 beneficiaries.

This limitation in accepted types of complaints has been made for the CM to be manageable.

The rhetorical question the agency should consider when trying to identify the scope of acceptable complaints is: "What are our commitments to standards worth if we are not prepared to be held accountable to them?"

The relevant areas an agency may wish to be held accountable to are principally guided by the promises and commitments it makes. Most importantly are concrete commitments directly related / made to beneficiaries, but they could as well be the obligations made as an organisation and to donors. These issues are related both to what is provided and how it is provided.

Promises made to beneficiaries

Beneficiary / vulnerability / selection criteria, implementation approach, quality and quantity of product or service, aspects of voluntary choices, unfortunate side-effects, quality of or access to information, appropriateness of approach and output, participatory approach etc.

External codes of conduct

Code of Conduct, HAP, SPHERE, Assistance Framework etc. These could include commitments to participation and use of local resources, misuse of funds, gender balance, attitude of staff, the CM-procedure itself, dignified approach, impartiality etc. These "soft" commitments need to be defined / explained if complaints are accepted related to these.

Contractual agreements

Commitments may have been made in the application / contract or as part of being an implementing partner to, for example, ECHO and UNHCR. (These would include procurement procedures, code of conduct for staff, etc.)

The challenge when making this analysis is that a CM has the added benefit of making the Agency aware about unintended side-effects of its activities. By establishing a narrow margin for acceptable complaints, the benefit of identifying unintended side-effects (that may be harmful) is often lost. Often, the users are not only beneficiaries, but as well potential beneficiaries – persons that the agency's assessment missed when locating beneficiaries for the NFI distribution. These as well should have access to complain if a needs-based approach to assistance is adopted.

Agencies tend to be very focused on the reporting guidelines presented by the donor, while commitments to the beneficiary population are met with a larger degree of flexibility. The reason why stems from the uneven power balance between the donors, who have direct and immediate power to withhold or cease funding based on a legally-binding contractual agreement, and the beneficiaries, who may not even be aware about the commitments that the agency has adopted on their behalf.

This accountability breach is as well the responsibility of the inflexible donor focusing rigorously on reporting guidelines, but as humanitarian agencies are taking it upon themselves to be accountable towards beneficiaries, they too need to ensure a fair power balance.

4.2 Filing a complaint

» Information about the CM is clear, visible and easily available. Disseminating information about the CM and the procedure for processing complaints could be via handouts to beneficiaries / community leaders, posted on the wall of the office or the areas of implementation. Considering that beneficiaries are often illiterate, deprived from moving freely or have limited capacity, alternative channels of dis-

semination are often necessary, including information meetings etc.

- The procedure itself should be non-threatening and welcoming to use, so that feedback and complaints are actively solicited. Agency staff should be informed about and understand the procedure. The staff should not regard it as a mechanism to reveal their misconduct and, as such, established against them, but as an accountability mechanism to ensure the dignity of the beneficiaries. Filing a complaint should not be regarded as negative or working against the interest of the agency, which should be reflected at all levels of information dissemination and procedure. It is a positive contribution to being accountable.
- The procedure should be easy to access and safe to use. While working in often volatile environments with vulnerable people and minorities in need of protection, both physical and safe access is crucial. Important considerations related to access include:
    - Location. (Do beneficiaries know where? Is the area safe for all?)
    - Distance. (Recommended as not too far.)
    - Travel costs. (This could include a minor travel compensation fee.)
    - Special permits necessary.
    - To whom does one complain (Fear of retaliation, involvement of public offices.)
    - Confidentiality of the complainant. (Privacy when submitting complaints.)
    - Possibility to file complaints on behalf of others, (Due to illiteracy, fear of retaliation, inability to travel etc.)
    - Free to use. (No fees requested.)
    - Sensitivity to cultural traditions, gender, age and religion.
- The CM should be easy to use. The process of filing a complaint should be straightforward and the procedure should not require special qualifications.
- Submission of complaint should preferably be recorded in written form (as opposed to verbally) for the following reasons:
    - In order to process a complaint, the agency and the complainant need to have a clear understanding of the grievance.
    - The complaint should preferably be signed by both parties to limit the danger of alteration, and allow for better and precise response to a concrete issue.
    - For the CM to constitute a systemised feedback mechanism to programme planning, the complaints and redress need to be computerised. A filing system is important to track patterns in the complaints.

- It is important that the system allows for another person to process the complaint than the one receiving. Complaints may not be processed immediately.

A problem with written complaints is that some users may fear retaliation. In other contexts, the operational context may not allow beneficiaries access to file written complaints as opposed to verbally transmitted. Requesting written submissions could also be difficult when dealing with very sensitive issues. Consequently, written submission of complaints is normally ideal, but not mandatory.

» The complainant should ideally receive a receipt that confirms their complaint has been filed and recorded. This receipt could be a copy of the submitted and signed description of the complaint. The receipt would include an indication of when the complaint is processed. For verbally-submitted complaints, receipts are less important. As with the written submission, it may not always be possible to provide receipts (if complaints are submitted via phone, for instance).

4.3 Processing a complaint

» The CM should be impartial and independent from the subject of the complaint (to the extent possible and manageable). In order to avoid conflicts of interest, the staff designated to process the complaint must be different from field staff. It is important that all staff have a mutual comprehension of what guides the investigation (being the effort to strengthen accountability).

» Complaints should be processed against a clear, published definition of a complaint and against clear, published criteria, including a time frame for processing the complaint. It is important that the complainant is provided with a description of the CM process.

» Complaints are treated confidentially. Files are kept confidential so that publishing / sharing information about the complaint cannot be used to trace the individual complainant.

» Complaints are processed by a qualified entity. Staff members processing complaints are qualified and understand the sensitive nature of a CM. The sensitive nature of complaining often deems necessary a gender balance and often a senior committee dealing with the complaints. In some instances, (elected) beneficiary representatives or community leaders could improve the level of trust in the CM from the side of the users. Sometimes the opposite.

4.4 Redress for the complainant

» The complainant should receive a clear response that comprises an answer and explanation, as well as an indication that the complaint has gone through an established due process. Responses should be provided with due sensitivity.

- The complainant should acknowledge that they have understood the answer. In case of any belief that there has been a discrepancy in the process or the result, the complainant can apply again. The complainants and staff should be made aware that the system has alternative channels for grievance, and these should be explained. Beneficiaries of HAP members have access to address complaints to the HAP-board. An alternative solution could be that the agency and the complainant identify another external body to decide on the grievance (e.g. UNHCR, OCHA, HAP local office, other INGO etc).
- The agency should be clear on the type of remedy offered. In line with the definition for CM, the agency should not accept claims that will result in a larger remedy than the agency is prepared to offer. Outlining the remedy - and hence limiting it - is an important part of explaining the procedure of the CM to the users.
- When closing the case, agreement should be made with the complainant on remedy, and both parties ideally should sign their approval of the case being closed and that the outcome is accepted. Copies are kept in both hard and electronic format. Precise responsibility for redress is mutually identified and agreed. Formal closure, though, is not always possible if complaints are communicated, for example, via phone.

Having investigated a complaint of a family, the Agency recognises that it falls within beneficiary criteria for housing, but was not chosen. Funding, though, has been committed elsewhere.

Principally, the agency does not need to commit to providing the families with new houses, but simply an acceptance that the agency has made a mistake. This could generate frustration, but the agency shows accountability in recognising its mistake.

4.5 Learning from a complaint

- Complaints should be used as feedback to the programme and filing should enable the agency to generate statistics through which tendencies and possible weaknesses in assessing, planning, implementation, monitoring or evaluating can be identified.
- Programme planning allows for minor corrections in case of redress bearing influence. The organisational culture is open to lessons arising from complaints. Senior management are responsive, and relevant stakeholders and, especially donors, are informed about the CM.

5. Three Examples Of Complaints Mechanisms

Based on the minimum criteria outlined above, some initiatives would not qualify as a CM, but would allow a certain feedback and access to address some types of complaint. In order to give an impression of a possible CM, three very different examples are described below. The examples will show:

- Difference in type and scope, and how a CM in one operation cannot necessarily be copied in other contexts.
- How a CM can be an integrated and active part contributing to the programme.

5.1 Large-scale food or non-food distribution

In the North Caucasus, an agency conducts food and non-food distribution by a monthly cycle to more than 250,000 beneficiaries. The distribution is done through 20-30 pre-selected and known distribution points on the basis of concrete and published beneficiary criteria. The CM has been facilitated through 9 information centres, which already existed, receiving up to 10,000 visitors per month.

Only complaints in relation to beneficiary status are accepted. The beneficiary will use one of the 8 ready-made forms covering common reasons why someone would change their status (marriage, birth, death, return and changed address), which is provided in one of the 9 information centres. The complaint is processed in the field office by two senior officers, who will send field assistants to investigate the correctness of the information provided by the beneficiary, if deemed necessary. Processing the complaint normally lasts 10 days. The complainant receives a verbal answer except in more complicated circumstances when a written explanation is needed.

Main characteristics:

- Extensive operation with a large number of beneficiaries and complaints.
- The programme is simple and of a mainly quantitative / logistic nature. Issues relevant to complain about are limited.
- Issues possible to complain about have been limited in order to ensure that the CM is manageable and will not become over-burdened.
- The issues accepted in the CM are concrete and non-sensitive.
- The CM is an integrated and accepted / known part of updating assessments and beneficiary lists.

5.2 Sexual abuse of vulnerable groups (specific and sensitive issues)

In large parts of Tanzania, rumours about sexual abuse by humanitarian staff against the beneficiaries in the local villages are circulating[5]. An agency sets up a CM, which will cover the operational areas of all the agencies in a district. The agency initiates an information campaign informing the staff of all agencies and

beneficiary communities about sexual abuse as well as a thorough introduction to the CM (procedure, redress, requirements etc).

Only signed complaints are accepted, but do not need to be submitted by the violated person. The violated person must accept to be contacted by / meet the Agency Officer (expatriate), who will conduct a preliminary investigation into the allegations. Based on the procedures, the Agency Officer will involve the Complaints Handling Board of selected NGOs, if a violation seems probable. All nationals – beneficiaries and non-beneficiaries – have access to use the CM. The complaints forms are provided with a special code, and third persons only have access to see the code. The codes match a confidential sheet of paper with all the relevant names. This sheet of paper and the case files are kept separate at all times.

Main characteristics:

- The complaints are extremely sensitive to all parties involved.
- The mere setting up of a CM can have a preventive benefit and limit additional violations.
- Issues such as confidentiality and safety of use are pivotal for the design of the CM.
- Impartiality, thoroughness, accuracy and objectivity of the Complains Handling Board is important.
- Anonymity of the victims must be secured, but willingness to share with the agency / CDC is necessary for processing the case and ensure that the CM in not misused.

5.3 Multi-sector programme / CM

In Iraq, a humanitarian agency is operational in 7 villages located in 6 different parts of the country with activities within shelter, income generation, social rehabilitation, legal aid and community infrastructure. Activities focus on the displaced population and host communities, and are implemented through a participatory community-based approach. The security situation is very volatile and national staff have been threatened due to their affiliation with international agencies. Expatriate staff are not able to enter the country, but are accommodated in neighbouring Jordan and Kuwait. Monitoring of impact and approach is very difficult. The agency is working in close co-operation with another international NGO that basically has the same set up and objective.

A CM has been established by setting up locked 'suggestions boxes' in all villages where the agency is operating. All national and international staff members are introduced very thoroughly to the purpose and procedures of the CM, and were as well part of its development. Prior to initiation of activities, a village committee of community leaders is presented with a thorough description of objectives and

expected outputs of the project, approach and operational principles, as well as a description of the CM equal to the one staff received. Persons living in the village (only) are invited to file a complaint or provide feedback by using the suggestions boxes. Acceptable complaints fall within the scope of the advertised approach and objectives of the project. The complaint need not be signed and the complainant has the option of presenting the complaint (written or orally) directly to the agency expatriate management (whom a village representative has met in Kuwait) or to the Office Manager.

The 'suggestions boxes' are opened by a Committee (made of gender-balanced national and international staff members) bi-weekly. A written response is provided (when the complainant has provided their identity).

Main characteristics:

- Extremely volatile security environment with limited expatriate staff access.
- Danger in relation to visibility to actors outside the implementation area.
- CM designed to address activity and criteria-related complaints. Complaints can be filed only by village members, only within certain agency-chosen elements and mainly through 'suggestions boxes'.
- The CM strengthens monitoring and beneficiaries' access to management. It is important for the agency's donors as well.
- The CM is an integrated part of improving approach, criteria, output/design etc.
- The CM helps both expatriate and national staff to commit to and improve approach, criteria, output/design etc.
- It enables beneficiaries (and others) to report misuse of funds, harassment or undignified behaviour by Agency / NGO / contractor / partner staff.[6]
- Easy access for the most vulnerable segments of the community.
- Facilitates / invites to semi-sensitive and non-sensitive issues.
- Strengthens the community's trust in the agency (could be the opposite if procedures and scope are not understood / communicated properly).

5.4 Concluding remarks

CMs can vary much in scope and type. From the extensive system entailing a large-scale operation with numerous staff, information centres, mobile teams, databases, questionnaires etc at one end of the scale, and at the other, one could imagine the everyday situation where a beneficiary, who has been knocking on the door of the office, receives an answer to why, for example, he is not on the beneficiary list. In that respect, all programmes have a CM, and all societies have some way of dealing with complaints and grievances.

Most offices regularly receive complaints from beneficiaries and provide answers to these as a normal part of everyday work. The same applies to the local community that may have a weekly meeting and elders-boards that deals with grievances. These are the initiatives and existing structures that are important to build upon to save the CM process from becoming too comprehensive and alien in the local context. Establishing a CM should be guided by the will to improve a programme's impact as well as to make things easier and more transparent. Consequently, the extent to which a parallel system is established should be minimised as opposed to the effort of building upon existing procedures, resources and traditions.

Notes

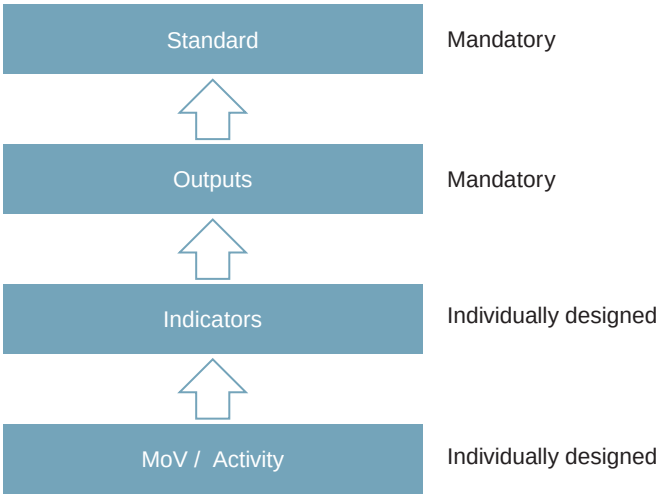
1) Please refer to Reference 2C for linking the minimum requirements in this Handbook with those of HAP.
2) This handbook does not address setting up a whistle blowing mechanism. Whistle blowing does normally not involve communication between the agency and whistle blower, but is simply a mechanism that allows breaches of e.g. fraud to be reported anonymously. Such a mechanism could e.g. be established in HQ parallel to a CM in the field.
3) One Trust World conducts research on practical ways to make organisations, companies and institutions more responsive to the people they affect. This includes a Global Accountability Project, which for example identifies complaints and redress mechanisms as an important measure. www.oneworldtrust.org
4) It is very important to stress that though a perfect CM would include all these part, 5, which outlines three different types of CM, will show that both size and scope can differ considerably.
5) Other examples could be humanitarian field staff threatening, harassing or stealing from beneficiaries, misuse of funds and relief aid etc. This example is made up.
6) Though the described CM is not designed for very sensitive and confidential issue, misconduct by humanitarian staff is especially difficult to identify in operations where expatriate staff do not have direct access to the beneficiaries. National staff should have access to use the CM as well.

CHAPTER 2B - REFERENCE MATERIAL
MINIMUM REQUIREMENTS FOR A COMPLAINTS MECHANISM

Working with a set of minimum requirements linked to a system of indicators is an important and proactive means of ensuring that the programme objectives and expected impacts are achieved. Reference 2B introduces the mandatory standards and outputs.

It is important throughout the process of setting up a CM to ensure that the minimum requirements are respected, while at the same time keeping the CM as simple as possible for the programme to manage. This balance is sought achieved through the development of one standard and a set of outputs mandatory for all programmes, and secondly a guide to assist the programme in developing indicators, means / sources of verification and activities individually-adapted to the context of the programme.

In short, this is a common set of minimum requirements mandatory to every programme setting up a CM supported by individually designed indicators and verification instruments identified by the programmes themselves, which can support the differences in size, scope and ambition of various CMs.



1. Standards and outputs

Standards and outputs are of course mandatory. The standard for a CM to achieve is very close to the definition of a CM.

> Simple procedures and mechanisms that give users access to safe means of voicing complaints on areas relevant and within the control of the agency has been facilitated.

In order to achieve this standard, a number of outputs have been formulated. The outputs constitute minimum requirements that guide and bring about the operation of the standard. By respecting the minimum requirements, the agency is able to guarantee a certain level and quality based on which HAP, donors, partners and users can base their expectations.

The following outputs have been developed which are mandatory for all CMs.

> 1. The procedure, purpose and parameters of the CM have been communicated and made available to relevant stakeholders.
>
> 2. Intended users have safe and easy access to use the CM.
>
> 3. A logical and easily-understood set of procedures has been developed for submission, processing and response / redress of complaints.
>
> 4. Complaints are processed by a competent body guided by transparency, confidentiality and impartiality.

What is not specifically outlined in the outputs is the importance of involving beneficiaries. It is of key importance that beneficiaries are consulted and involved for the CM to be accepted and trusted within a given community. As the CM is ultimately an effort to strengthen accountability, beneficiary consultation and involvement should be sought to the best extent possible.

2. Indicators and means / sources of verification

While the standard and outputs are mandatory to all CMs, the indicators and means of verification will differ from one operation to the next, based on the sectors / areas of the programme that the CM addresses, the number of potential users of the CM, the levels of sensitivity of the complaints as well as cultural, political, geographical and literacy differences. These differences are important to incorporate for the CM

to have the intended impact.

The outputs include a number of aspects that should be reflected in the indicators. Which indicators and hence the degree to which the programme feels able to live up to and document the achievement under each of the outputs, though, differs. The development of indicators is achieved through the final Step 11, in 3A Step by Step.

CHAPTER 2C - REFERENCE MATERIAL
LINKING THE CM HANDBOOK AND THE HAP BENCHMARKS

During the past few years, a number of organisations have been developing tools and material to guide agencies in setting up a CM. Parallel to the process under DRC, HAP has been developing a set of minimum requirements – or Benchmarks – necessary to comply with in order to be HAP certified

By complying with the four outputs and by following 3A Step by Step presented in this handbook, the agency will automatically comply with the HAP Benchmarks.

While the handbook has been developed mainly with the aim of providing practical guidance on how to set up and manage a CM in different operational contexts, fulfilment of the HAP Benchmarks is also focused on the agency's ability to document that it both respects and meets the Benchmarks. For this reason, it is relevant for users of the CM handbook to know exactly which documents and material produced (as a result of following the Step by Step chapter of this handbook) can serve as documentation towards HAP in order to become certified.

The table over the page matches each HAP Benchmark with a description of how and where the CM handbook addresses them, including what can be used as documentation.

No.	HAP Benchmark	HOW - does the CM handbook address the HAP Benchmarks WHAT - can be used to document compliance with HAP Benchmarks	WHERE - in the handbook
5.1	The agency shall ask intended beneficiaries and the host community about appropriate ways to handle complaints.	The involvement of intended users in designing and running the CM is an integrated part throughout the Step by Step description, especially in terms of staff and the direct beneficiary population. For each of the Steps, recommendations and exercises are provided on how staff members and CM users could be included in designing this element of the CM.	Participation: 3A Step 1
5.2	The agency shall establish and document complaints-handling procedures which clearly state:	The final Step by Step description is to summarise the commitments in an LFA. As indicated in Benchmark 5.2, the agency is required to "document" compliance. Reference is made below for each sub-benchmarks under 5.2 on what can be used as documentation.	Documenting: 3A Step 11
5.2	a) the right of beneficiaries and other specified stakeholders to file a complaint.	The stakeholder's who are guaranteed access to complain will always include agency staff members and beneficiaries, while Tool 4C and Annex 5C provide the analytical framework of deciding additional users of the CM. The right to complain is part of the definition of a CM that agencies commit to. Documentation: copy of the information material as this includes a list of accepted complainants.	Defining users: 3A Step 3 Tool 4C Annex 5C

5.2	b) the purpose, parameters and limitations of the procedure.	The purpose is initially identified in Step 1, but may be revised as part of designing the CM through the Step by Step process. The parameters / scope of the CM is determined in Step 2 by analysing the local context, actual complaints received and areas of the programme likely to generate complaints. The requirements of 5.2b are reflected in Outputs 1 and 3. Documentation: The purpose of the CM can be found in Annex 5I. The scope is defined in Annex 5B.	Defining purpose: 3A Step 1 Defining scope: 3A Step 2
5.2	c) the procedure for submitting complaints.	The procedure for submitting complaints is divided into the practical aspects of format (written or verbally) and entry points (phone, complaints boxes, internet ...). An example of a complaints form is found in Annex 5F. The requirements of 5.2c are reflected in output 3. Documentation: Annex 5E and 5F, and the information material generated from the exercise in Annex 5H.	Entry points: 3A Step 5 Submission form: 3A Step 6 Complaints form: Annex 5F Information material: Annex 5H

5.2	d) the steps taken in processing complaints.	Aspects of processing complaints include internal agency steps, where the handbook addresses the following aspects: - Designing a system capable and competent in terms of deciding on complaints / remedy. - Designing the system / paper trail that the complaint goes through from being received by the agency to a response being provided. - Aspects of investigating sensitive and non-sensitive complaints. - How to respond to complaints. The requirements of 5.2d are reflected in Outputs 3 and 4. Documentation: Generated from Step 7.	Submission form: 3A Step 6 Complaint cycle: 3A Step 7
5.2	e) confidentiality and non-retaliation policy for complainants.	Thorough attention is dedicated to the establishment of an impartial and competent complaints handling board guided by confidentiality and integrity. The requirements of 5.2e are reflected in Output 4. Documentation: generated from Step 4 and communicated to user in Step 10.	Complaints board: 3A Step 4 Tool 4D
5.2	f) the process for safe referral of complaints that the agency is not equipped to handle.	Part of designing a complaints handling system includes mapping the appeals board for each type of CM user. Tool 4D and Annex 5D provide the analytical framework to design an appeals system. Documentation: Annex 5D	Complaints board: 3A Step 4 Tool 4D Annex 5D
5.2	g) the right to receive a response	The right to complain is worthless if responses are not guaranteed! Aspects on HOW and WHAT to respond is described in details in Step 9. The requirements of 5.2g are reflected in Output 3. Documentation: Step 10 and Annex 5H	Responding: 3A Step 9

5.3	The agency shall ensure that intended beneficiaries, affected communities and its staff understand the complaints handling procedures.	Aspects of both WHAT to communicate (introducing the agency, presentation to the project and description of the CM) and HOW to communicate (leaflets, information meetings, internet, community meetings etc.) are described in step 10. The requirements of 5.3 are reflected in Output 1. Documentation: Tool 4E and Annex 5I	Information: 3A Step 10
5.4	The agency shall verify that all complaints received are handled according to the stated procedures	It is a minimum requirement that complaints undergo a transparent process whereby an agency commits to its beneficiaries that the system communicated to them is the same one applied by the agency when processing their complaint. The requirements of 5.4 are reflected in Output 4.	Information: 3A Step 10 Complaints board: 3A Step 4

CHAPTER 3A - STEP BY STEP
SETTING UP A COMPLAINTS MECHANISM

Having read the introduction and the concept paper, you are now familiar with the overall values and challenges of a CM. This Step by Step description is first and foremost a practical guide to the steps to be taken in setting up a CM, including aspects of designing an information campaign, developing a Complaints Handling System, the involvement of stakeholders, establishing a complaints procedure etc. The description should be read in conjunction with the various Tools introduced in Section 4, as references to them are made throughout the description.

How to use

The recommendations and suggestions provided here should be regarded as both an inspiration and a guide, but the manager responsible for setting up the mechanism is encouraged to keep the mechanism as simple as possible. If all recommendations are followed to the point, the resulting CM is likely to be very procedurally and administratively comprehensive and complex, which undermines the aim of strengthening accountability.

What is important, and what this Step by Step description can do, is to depict ideal solutions, present samples of choices and designs, and to list some important considerations. This knowledge will enable a responsible manager to take informed choices in terms of design, and help in establishing the consequences when compromising with the ideal. The CM should live up to a set of minimum standards presented in Reference 2B, but these need to be translated into to the local context to see how the decisions and actions taken will differ from one operation to the next.

Going through the Step by Step description is a process. All the decisions taken are interdependent and will have consequences for the available choices in the Steps to come. As it is not possible from the start to consider all aspects, it will be necessary throughout the process to revise and adapt what was decided earlier. In some contexts, it could as well be relevant to rearrange the order in which the Steps are taken.

Composition of the Steps

» Each Step starts with a box presenting and summarising:

- Objective: The concrete objective of the Step.
- Means: Means necessary to meet the objective.
- Outcome: The concrete outcome expected from the Step.
- Tools: Relevant tools to use.

- Reading: Reference to find more inspiration relevant to complete the Step.

» The main narrative part following the introduction box is a general description of the issues to be considered, examples of how this can be achieved and a brief presentation of the relevant Tools, Annexes and minimum requirements.

» Having read this section and the relevant Tools, the manager is now prepared to make the necessary choices and decisions. Under the heading "Concrete Action to Take", bullet points list what exactly to decide and do in order to fulfil the Step.

» Under the heading "facilitation", suggestions are presented on how the work and analysis related to each Step can be facilitated by including national staff and users of the CM. The degree of importance attached to user involvement is rated with stars, from one to three. Based on the choice of sessions, a workshop can be initiated. For each Step, duration is estimated for planning purposes.

» Following each Step, there is blank space for your notes.

Linking Annexes and Tools with the Steps

Step 1	• Objective: To define the purpose and ensure that those involved have the right understanding of the objectives of the CM. • Output: Preliminary list of points why the agency wishes a CM • Tools: Tool 4A – The Concept of Complaining in Perspective Tool 4F – Presentation of Complaints Mechanism incl. guide Annex 5I – Developing an LFA
Step 2	• Objective: To define what constitutes a valid complaint that the agency will accept by analysing complaints raised against the agency and its activities. • Output: Map the type of complaints, complainants, aspects of relevance etc. • Tools: Tool 4B – Choosing Sectors Annex 5A – Choosing Sectors template Tool 4C – Mapping Complaints Annex 5B – Mapping Complaints, template
Step 3	• Objective: To identify the stakeholders who should have access to use the CM, through analysing who is affected by the agency's activities. • Output: List of stakeholders who will have access to complain. • Tools: Annex 5C – Who will have Access to Complain
Step 4	• Objective: To design the systems capable of handling the different types of complaints and complainants (the Complaints Handling System). • Output: CHS design, and a table of entry points and the appeals structure. • Tools: Tool 4D – Setting up a Complaints Handling System Annex 5D – User and Appeals Matrix

Step 5	• Objective: Based on analysis of the local context, to decide how and through which entry points the user of the CM should be able to submit complaints. • Output: List of different complaint entry points and how complaints should be made. • Tools: Annex 5E – User Entry Point Analysis
Step 6	• Objective: To decide in which form the complaints can be submitted – written and/or verbal – and relevant information to be conveyed when complaining. • Output: Draft Complaints Form(s) • Tools: Annex 5F – Complaints Form
Step 7	• Objective: To describe the internal agency cycle that the complaint undergoes from receiving the complaint, processing and responding. • Output: A map / description on the Complaints Processing Cycle.
Step 8	• Objective: To decide on the procedure and persons to investigate complaints, especially in terms of sensitive and non-sensitive complaints. • Output: Considerations made on how to investigate complaints.
Step 9	• Objective: To consider how and what to communicate when responding to complaints. • Output: Input for consideration.
Step 10	• Objective: To decide on what and how to communicate to the users of the CM in terms of making an information campaign. • Output: A description of what and how to communicate. • Tools: Annex 5F – Complaints Form
Step 11	• Objective: To develop an LFA summarising how the CM respects the minimum requirements related to the establishment and running of a CM. • Output: An LFA. • Tools: Annex 5I – Developing an LFA.

STEP 1

Ensure committment to and define the purpose of the CM

Objective	Define the purpose of the CM and to ensure commitment and support. This introductory Step puts into perspective why support from staff and beneficiaries is important for the CM to succeed.
Means	Proper introduction and involvement of interested parties in developing the aim of the CM.
Outcome	Preliminary list of reasons why the agency wishes a CM.
Tools	Tool 4A – The concept of complaining in perspective Tool 4F – Presentation of complaints mechanism Annex 5I – Developing an LFA
Reading	Reference 2A, Chapter 2 and 3

Establishing and managing a CM requires resources, which vary depending on the size of the organisation and the scope of the CM. But for any CM to be effective, it is crucial that there is a high level of commitment from staff at all levels. To increase the accountability to beneficiaries at the field office level in particular, staff need to be dedicated to both setting up and running the mechanism. For this to happen, all staff involved need to have a clear and shared understanding of why the CM is being set up and what its purpose is. This first Step describes why it is important to involve staff members and, ideally, the user population.

The organisational commitment to establish a CM should derive from a wish to strengthen the accountability to beneficiaries and hence improve the positive impact to those the organisation seeks to protect and assist. In addition, the field office may have sectors of their work that need special attention or that generate many complaints. A concrete problem or accountability breach that everybody can see and agree about can serve as a good basis to ensure the commitment to the setting up of a CM.

To organisation staff, the CM may be perceived as an initiative to reveal their misconduct. In special instances, the CM will be established to deal with specific staff-related misconduct, such as sexual abuse, misuse of funds, improper behavior etc. These types of violations and extreme accountability breaches are, however, exceptional reasons behind the establishment of a CM. The perpetrators will of course oppose such a system which in turn represents one preventive benefit of a CM.

Though a properly established CM will also address complaints related to neglect or misconduct by staff members, it is important to communicate that a CM is a means

to strengthen accountability to beneficiaries and shorten communication lines. Ensuring that field staff understand why the CM is established, and how it will affect them, is important in order to have a successful and well-functioning CM. Field staff members have daily face-to-face contact with beneficiaries and it is normal that most staff-related complaints will be received at this level. A distrustful environment within the office is not desirable; the staff need to understand that the CM is not a way to control and police their behaviour; rather that it will improve their practice, the programme and increase effectiveness and positive impact.

To users of the CM[1], the concept of complaints might be new. The CM will only be used if the system is understood, trusted and perceived as safe to use, and if the consequences of complaining are known (what outcome to expect, procedure, who decides on the complaint etc). The CM is primarily established for the sake of the users, so communicating the commitment to strengthen accountability is equally important for the beneficiary population.

However, involving the beneficiary populations can be difficult in some contexts. This is especially the case in emergency operations or volatile operational contexts, when the relationship between the agency and beneficiary population could be weak and open discussions may be difficult. It is easier to encourage participation for example, where local NGOs form part of a capacity building project or where the agency has been working within a community for a significant number of years.

Consequently, the most critical aspect of ensuring positive commitment and success of the CM is to generate and maintain the support of all stakeholders. This commitment is best secured through the involvement of staff members and expected users of the CM in the process of developing, setting up and managing a CM.

How the designing and setting up of a CM is planned and carried out by the individual agency needs thorough consideration and a sincere effort to involve staff and beneficiaries. The recommended and possible involvement will differ based on local contexts, but through studying this handbook and tools, the designated manager will find assistance on how to undertake an inclusive process that will allow the answering of many of the sensitive questions and ensuring the right point of departure.

Concrete action to take

» Securing the buy-in of staff and beneficiary users is important. To avoid setting the scene with a concrete complaint or accountability breach, Tool 4A instead offers a small general exercise that will remind people that complaining is normal; that complaining happens as part of everybody's daily lives and that raising a complaint can be beneficial for both the complainant and the subject of the complaint. Discussions on the benefits of establishing a CM will further facilitate

a shared sense of ownership among staff members and participating beneficiaries.

» Inspired by these discussions, list one to five concrete reasons why the agency wishes to establish a CM. These will become the guiding reference and framework throughout the process of developing the CM. The person who facilitates the establishment of the CM should make repeated reference to these reasons at all points in the process, but should also be prepared to change these as everyone becomes more familiar with the possibilities, potentials and benefits from of the CM. The reasons are listed on the top of Annex 5I, which will be returned to during Step 11.

The reasons behind the CM should be related to aspects of strengthening beneficiary accountability, but could also refer to:

General aspects: A wish to strengthen communication, transparency, participation, dignity and a wish to bridge / limit the power gap between the strong humanitarian agencies and the vulnerable population. Positive aspects of strengthening accountability to beneficiaries and achieving an even more positive impact in targeted communities should always be the main aim of a CM. See Reference 2A, chapters 2 and 3.

Concrete breaches: Concrete problems or accountability breaches that led the agency to realise the importance of establishing a CM may as well play a role. These could derive from rumours of fraud or misuse of funds, incidents of sexual abuse by staff members, an environment of allegations and distrust etc. Such motivations for establishing a CM should not stand alone.

External requirement: Finally, some agencies may for strategic reasons wish to strengthen accountability worldwide and for that reason the field office may have been requested to establish a CM. As a member of HAP, for example, a CM would be mandatory for all field operations. Others may have been invited by donors or partners to establish a CM to address certain problems. Such motivations for establishing a CM should not stand alone.

The setting up of a CM would constitute a threat to perpetrators and as such a CM could prove very effective in stopping both false rumours and potential misconduct. However, it is difficult to generate the necessary support for a CM that has such motives as its driving force. What will happen when the perpetrator has been caught? What if staff members are wrongly accused? A CM can reveal accountability breaches, but can as well serve to protect the pure hearted. No matter the motive behind the wish to establish a CM, sincere support is generally difficult to achieve unless the objectives are positive and constructive.

Facilitation

User involvement ☆ ☆ ☆

Duration of exercise 120 minutes

Method

- 1.Introduce the purpose and ultimate aim of the workshop. (10-15 min)
- 2.Do the small exercise in Tool 4A (25 min).
- 3.Make a larger presentation and introduction of Reference 2A by using Tool 4F and Tool 4G. After and during the presentation, workshop participants are invited to ask questions (50-60 min).
- 4.Based on the PowerPoint presentation (Tool 4G) and inspired by the local context, identify the agency-specific purposes of the CM. The facilitator is encouraged to draft a few objectives in co-ordination with the management based on which the discussions can take off. In some situations, management may wish to suggest the objectives in advance. (10-20 min)

NOTES:

STEP 2

Define what constitutes a valid complaint

Objective	Define what constitutes a valid complaint based on a familiarity with the local complaint customs, including likely complaints to be posed to the agency, who the potential complainants are and what the sensitive aspects are.
Means	Through one or two tools, to analyse the complaints culture and identify sectors to become subject to a CM.
Outcome	A complaints map. A map of relevant complaints being received, who the complainants are and whether the individual complaint is sensitive or not.
Tools	Tool 4B – Choosing sectors Annex 5A – Choosing sectors (template) Tool 4C – Mapping complaints Annex 5B – Mapping complaints (template)
Reading	

What constitutes a valid complaint? An important aspect in answering this question is related to what is relevant and within the control of the organisation. The answers to these questions will influence the whole design of the CM, determinate the channels through which beneficiaries can complain and guide how the complaints procedure is organised. The answers should build on and be framed by the reasons for establishing a CM identified under Step 1. These reasons may need to be adapted if they are either too wide or too narrow.

Concrete action to take

» Identify the object of the complaint (what types of complaints and/or in relation to what) by using one or both of the following two tools:

Tool 4B: This Tool will enable staff to choose the most relevant sector(s) or programme component that should become subject to a CM. This tool is most applicable for the programmes that are not yet operational and where the staff is not yet familiar with the types of complaints received. The tool and subsequent exercise can be done by the designated manager solely or in consultation with staff members, but most often it is more relevant to turn to Tool 4C. Annex 5A is linked to this Tool.

Tool 4C: This tool is an exercise to be conducted with national staff and preferably beneficiary representatives to map and categorise complaints and potential complainants. This tool is most applicable for existing / ongoing operations. Involvement of national staff, especially in the exercise linked to Tool 4C is important to facilitate commitment and a successful materialisation of the CM. Annex 5B is linked to this Tool.

Tool 4C can be completed without completing Tool 4B, but the information generated from the exercise linked to Tool 4C will be used in the following two Steps and must be completed.

» On the basis of this analysis, a clear impression is provided on the types of complaints received, and hence what a CM should address. From especially Annex 5B, a pattern may have emerged as to area(s) or sector(s) most relevant to focus on in terms of establishing a CM. The agency will probably not be able to address all types of complaints from all types of complainants. Step 3 will define who will have access to complaint!

> The list of acceptable types / categorise of complaints will be tentative at this stage. The acceptable complaints needs to be easy communicable and logic[2] without footnotes and extensive set of pre-conditions. The definition of acceptable complaints is closely related to Step 10 on designing an information campaign.

Facilitation

User involvement ☆ ☆ ☆

Duration of exercise 50-70 minutes

Method

» This Step is best facilitated in plenum using a projector with a person filling out Annex 5B as the input is provided by the workshop participants. Alternatively, a flip chart can be used. As the outcome of Annex 5B will inspire the following steps, it is recommended to make a relatively exhaustive list of complaints and at least cover different types of complaints and complainants (see different types of complainants under step 3). When involving field staff, it may be relevant to focus mainly on the complainants that national staff has interaction with.

» This is mainly a brainstorming exercise and a session where the input from national staff is valuable and can generate the necessary ownership by the participants.

NOTES:

STEP 3

Define who will have access to use the CM

Objective	Decide who will have formal access to use the CM
Means	Analysing the complainants identified in Annex 5B and considering other potential and relevant complainants / users of the CM..
Outcome	A list of acceptable users, who will have access to use the CM, and argumentation why other relevant stakeholders do not have access.
Tools	Annex 5C – Who has access to complain
Reading	

In Step 2, the de facto complainants, whzo come to the agency to voice their concern or dissatisfaction, were listed. The optimal solution would naturally be to allow access to everyone addressing a valid and relevant issue to the agency, but there could be many reasons why the agency wishes to focus on a certain group or limit the accepted groups of complainants. The obvious users of the CM are the direct beneficiaries of the programme, but in order to facilitate optimal accountability to the very same beneficiaries, other groups should as well have access to file complaints. The next step is to decide on who will have access to use the CM.

All complaints related to, and stakeholders affected by, agency activities (directly or indirectly) should have a forum for voicing their complaints or concerns. This need not be the same forum for all (see Step 4), but access should in principle be granted. Maybe a separate channel is not needed for all stakeholders as they have other ways of approaching the agency (e.g. donors could be argued as relevant complainants, but they would most likely direct their complaints directly to HQ or Country Director and not through a field-based mechanism). Another constraint is that the field mechanism may not have the capacity or competency to deal with all stakeholders.

Agencies tend to be very focused on reporting guidelines presented by the donor, while commitments to the beneficiary population are met with a larger degree of flexibility. The reason why stems from the uneven power balance between the donors, who have direct and immediate power to withhold or cease funding based on legally-binding agreements, whereas the beneficiaries, who may not even be aware about the commitments that the agency has taken upon itself on their behalf, have very limited powers to hold the agency accountable.

This accountability breach is also the responsibility of inflexible donors focusing rig-

orously on reporting guidelines. Yet since humanitarian agencies take the responsibility for being accountable towards beneficiaries, and other affected groups, there is still a need to ensure a fair power balance by allowing access.

In order to make sure that potential users of the CM are given necessary focus, please include the considerations listed below of the different groups. The list is not exhaustive as other stakeholders could be relevant in your area of operation.

- Direct beneficiary (refugee, partner organisation of a capacity building programme etc).The direct beneficiary must have access to a mechanism developed to strengthen accountability to them.

- Potential beneficiary (e.g. family from the targeted community just falling outside the criteria for assistance, other local NGOs not targeted for e.g. capacity building etc.).

  Identifying beneficiaries based on vulnerability criteria is difficult. As a means of avoiding mistakes due to incorrect assessments or registrations, or if the applied beneficiary criteria does not capture the most vulnerable segments in the population, it is relevant to allow potential beneficiaries access to file complaints within a certain set of criteria.

  If a potential beneficiary does not have access to voice complaints, he /she will continue to feel cheated by the agency, which could lead to conflict, rumours etc. Such deterioration deriving from the agency's presences and work is an agency's responsibility and could be limited by granting this certain group access to the CM.

- Host community / displacement affected community (The resident population of the community in which a programme is targeting e.g. refugees)

  Humanitarian agencies influence the communities in which they operate, and they are accountable both for the positive and the negative impact posed. For this reason, it is relevant to consider whether the host community should have formalised access to complain about unfortunate side effects (e.g. the micro credit programme is generating unfair competition, environmental complaints etc.).

  The CM could serve as a means to avoid alienation of the targeted population and to encourage communication, and this too is the agency's responsibility to avoid if alienation of minorities or groups is generated by their presence. A CM can build bridges between populations if incorporated properly into the agency's approach, or it can at the very least avoid widening the gap.

- Agency staff (e.g. own agency staff complaining about colleagues, misuse of funds within the agency etc.)

Agency staff is often the best sources to identify the most serious accountability breaches, and within many agencies, staff members have a responsibility to inform if they become aware of misconduct (misuse of funds, harassment, sexual abuse, and neglect etc). It is the responsibility of the agency, though, to make sure that a proper line of communication is established[3]. Staff member are unfortunately also often the source of serious accountability breaches.

Some may feel confident in going to the management, others may need a facilitator to report these kinds of accountability breaches. The mere access for staff to complaints may serve to limit misconduct. As some agencies have a code of conduct for staff, the CM could be a good facilitator for identifying potential breaches and process them in a proper manner. According to the HAP Benchmarks, staff must have formalised access to complain.

» Other NGOs, authorities, donors and other stakeholders

There could be other relevant stakeholders who may need access to file complaints. Very often, they will have other channels to tell the agency about their observations or concerns, but there could be a reason for the agency to suggest a more formalised procedure for complaints handling.

Please note that the issue about HOW the stakeholder should complain is dealt with in Step 5. According to the HAP Benchmark 5, intended beneficiaries, disaster-affected communities, agency staff, humanitarian partners and other specified bodies must have access to complain. All these stakeholders are relevant, but exemptions are allowed (security, capacity, protection of groups etc). Please refer to HAP Benchmark 5 in Reference 2C.

Concrete action to take

» Based on the outcome of the exercise in Tool 4B and the input provided above, potential complainants are listed using Annex 5C. Consider the list of all potential types of users of the CM and decide whether they should have access to complain. In Annex 5C, a number of tentative potential users are listed in the left hand side. Based on the local context, it may be relevant to include other potential groups and / or sub-divided groups. Some of the listed may not be relevant.

There may be reasons both for and against allowing certain stakeholders access to complain, but write down carefully, with the reasons why, certain (relevant) groups are not allowed access to complain (as requested under the HAP certification).

Facilitation

User involvement ☆ ☆

Duration of exercise 50-70 minutes

Method

» 1.The facilitator makes a presentation of the different types of potential complainants (e.g. inspired by those described in the Step) and opens the floor to alternative suggestions on groups who are affected by the agency's humanitarian operation (and hence could have access). The presentation will be inspired by the output generated from Annex 5B.

» 2.Facilitate in plenum e.g. using preferably projector with a person filling out Annex 5C as the inputs are provided (as the results will be used throughout the process) or flip chart. The issue to be discussed in a larger plenum is mainly which groups that the national staff members interacts with in the field (other than direct beneficiaries) should have access to complain.

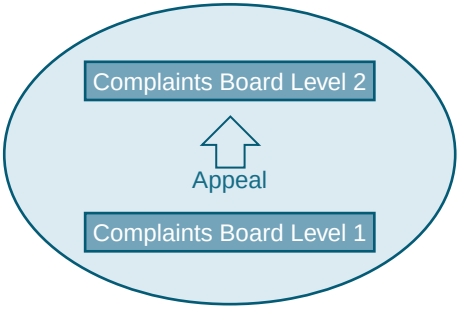
NOTES:

STEP 4

Design the Complaints Handling System

Objective	Design the Complaints Handling System, including a decision on the complaints boards and appeals system
Means	Based on the list of expected complaints and complainants to analyse and map users and for the agency to ensure an effective and safe system.
Outcome	Design the composition of the complaints boards and a matrix showing the different systems through which the different complaints will operate, based on levels of sensitivity. The matrix includes the appeals systems.
Tools	Reference 2B – Minimum requirements for a CM Tool 4D – Setting up a complaints handling system Annex 5D – User and appeals matrix
Reading	Reference 2A, Chapter 3

Having identified the users of the CM, the next step is to decide on the Complaints Handling System. The Complaints Handling System is the agency apparatus that decides on the complaint and remedy, and consists of one or more Complaints Board. The Complaints Boards processes the complaints and are normally hierarchically structured with one acting as an appeal to the other.



To set up a Complaints Board, it is relevant to use two documents. Reference 2B introduces the minimum requirements and Tool 4D guides the process of developing a Complaints Handling System:

Reference 2B – Minimum requirements for a CM

Reference 2B is a presentation of the mandatory standard and the four mandatory outputs that all CMs must comply with in order to qualify as a CM. These minimum requirements were introduced in Reference 2B. Reference 2B constitutes a core point of reference for the following Steps with a special focus on output 4, which deals with complaints boards.

Tool 4D – Setting up a Complaints Handling Board

This tool provides input for consideration when deciding on the design and composition of the Complaints Board, in terms of who could be a member, appeals possibility, appeals body etc. Please take specific notice of the section on aspects of sensitivity.

The requirement to be met under this Step is output 4. It reads:

> "Complaints are processed by a competent body guided by transparency, confidentiality and impartiality".

Concrete action to take

Having studied both tools, the following questions should be addressed.

» 1.In Tool 4D, a Complaints Handling Body is exemplified, consisting of a main body and a secondary body. Describe and draw a model of the complaints bodies in your Complaints Handling System, reflecting on the following issues:

Which levels does your Complaints Handling System comprise of?

- This should be done on the basis of the types of complaints expected to be received (as outlined in Annex 5B).
- Maybe you need only one level if the mechanism does not address sensitive complaints. Maybe two or three level 1 is required as they have different qualifications or sector expertise.

Who is represented in each of the bodies?

- Take into consideration which potential users could have their confidentially breached by the persons chosen to sit at the Complaints Boards.
- Maybe one from the relevant sector should always be represented.

Reflect briefly on how the composition fulfils output 4, which focuses on aspects of impartiality, transparency[4] and confidentiality of the body. Inspiration can be drawn from Tool 4D and will be relevant for completing Step 11.

» 2.In order for the beneficiaries to know whether to address their complaint to one or the other complaints body, draw up a tentative definition of what constitute a "sensitive" and a "non-sensitive" complaint. This distinction is of course up to the

beneficiaries to decide, but guidelines need to be communicated for both external and internal purposes. Draw on the outcome of the exercise linked to Annex 5B. Acceptable complaints and the scope of the CM have already been identified under Step 2.

» 3.On the basis of the Complaints Handling System that has been decided and the CMs intended users, fill in Annex 5D with the identified complainants, to whom the sensitive and non-sensitive complaints should go and the appeals body / institution for each group. The decision / discussions should be inspired by Annex 5C.

» 4.Please note that in order to comply with HAP Benchmark 5.2e (see Reference 2C), the agency is required to formulate a "confidentiality and non-retaliation policy for complainants". This can be done simply by committing to these principles and to communicate this commitment to the user population. The Agency HQ may have a more elaborated policy or guide to be used and such could be made part of the Staff Code of Conduct.

Facilitation

User involvement ☆

Duration of exercise (not suitable for a large group)

Method

» Designing a Complaints Handling System is difficult in a large forum and probably better done by a small group. However, it is relevant to include, for example, a senior staff member and a beneficiary representative, to provide input as to whether the systems will be trusted by the users and to keep the process transparent. Tool 4D and Annex 5D will guide the process.

NOTES:

STEP 5

Design entry points for the users when filing complaints

Objective	Design the user-agency interface in terms of where the complainant should go in order to submit the complaint.
Means	Analysis of the local context and considering the directions provided in the Step description.
Outcome	Complaint entry points. List of the different types of entry points through which the users can complain.
Tools	Annex 5E – User entry point analysis
Reading	Reference 2A Chapter 4.3, Reference 2B

The main challenge in developing appropriate entry points to the CM is to ensure an open and straightforward user-agency interface. Step 6 will consider in which form complaints should be submitted, while this Step will dedicate attention to answering the question: Where should the complaints be submitted? It is important to be aware that Step 5, Step 6 and Step 7 are very closely related and difficult to separate.

The minimum requirements are addressed in Output 2, and it is relevant to look to Reference 2B for direction and inspiration on how to ensure that the Output requirements are met. Read through Reference 2A chapter 4.3 for inspiration and additional information.

How to submit a complaint

Output 2 "Intended users have safe and easy access to use the CM".

Aspects of "safe" and "easy" must be "user perceived". This basically means that the user should find that the CM is safe and easy to use – not necessarily the agency. For this to be achieved it is logical and recommended to involve the users in helping define agency-user interaction. If the user does not feel comfortable with the user-agency interface, the CM will most likely not be used. The fact that the CM is not used cannot necessarily be regarded as an indication that there is nothing to complain about. More likely, the organisation has failed in setting up a mechanism that the users understand and trust.

Applicable means of submitting complaints differ and it is required to consider the level of literacy among the users, the type of user, special protection issues for vulnerable people or minorities, gender, the type of programme, distances / geography, ethnic tensions etc. Furthermore, the system chosen should take into account how

information is best communicated (see Steps 9 and 10). All these issues need to be considered when designing appropriate means of submission.

Below, a few suggestions are listed on concrete entry points for the complainant to use, including a few comments on their strengths and weaknesses. First, though, a few important and general issues to consider.

- The requirement in Output 2 that the users have safe access to use the CM is not only a matter of physical security, but underlines how important it is for the system to admit sensitive complaints. In order to facilitate both sensitive and non-sensitive complaints, two different means of submitting complaints are normally necessary. While the non-sensitive complaints could be directed to open sessions (e.g. to a public information centre opened on a weekly basis), more sensitive complaints should be granted more confidential and private access.

  It is normally not advisable to allow submission of anonymous complaints as they are difficult to investigate and tend to be linked to rumours. In some contexts, though, it could be necessary to set up a system allowing complainants a certain level of discretion, where a complaint can be submitted without third parties knowing. These include – but are not limited to – aspects of sexual abuse, misuse of resources or power and neglect. Please refer to the material developed from Annex 5B on types of sensitive complaints in your context.

- The mechanism needs to be visible and known to all users. This is linked to the information system and, for example, levels of literacy and traditional / existing means of communicating.

  A maximum distance for travelling should be set. Otherwise, the CM will discriminate those living far away and cannot travel due to health, age, time or financial reasons.

- The area of the CM needs to be safe for all to access. Alternatively, other access entry points should be suggested to avoid de facto discrimination.

- Communicating to the users. The system needs to allow access to information about the purpose, procedures and restrictions of the CM. Who can complaint and about what, how to complain, how the complaint is processed (see Step 10).

Examples of means through which the complaint can be submitted:

- A sealed box hanging in the village or in front of the office, which is emptied regularly by agency staff. This, though, allows only written complaints and does not enable the agency to provide assistance and guidance on what the procedures are. A complaint box does not provide confidentiality.

- Fixed days where the agency office is open to receiving complaints. This is a very open and transparent access, but could as well generate too much noise and crowds in the office.
- Information booths open regularly in the project implementation areas. This could be an active way to facilitate communication in general and for other purposes, which limits the distance between agency and beneficiary.
- Information Manager visiting project implementation areas on fixed days to facilitate complaints.
- Allow complaints submission through the internet. This requires access to the internet, but usable especially for partner complaints or complaints directed to HQ.
- Allow complaints submission through posted mail or by phone.
- Direct access to talk with higher managers. This is relevant for the most sensitive complaints, and is a very accountable and dignifying system, but with large numbers, could take up much time.
- Facilitated through weekly village meetings, where issues can be discussed and potentially addressed on the spot. This method is best for more general issues and does not allow for sensitive issues to be raised.

A combination of different means is advisable. Normally, it is possible to choose means where the benefits and strengths of one cover for the drawbacks of the other. Use your imagination and involve staff and beneficiaries in the decision.

Concrete action to take

With the above considerations and guidelines in mind, identify and analyse possible entry points

Means of complaints submission. Which entry points will the user have for complaints submission to each of the Complaints Boards? It could be relevant to review the list of concrete complaints and complainants generated during the exercise linked to Annex 5B and through these, consider which type of entry point should be recommended.

The number of types of entry point is a balance between optimal and manageable. The challenge is to allow safe and easy access, without unduly using up too many additional resources. Too many entry points could as well confuse the logic and simplicity of the system. It remains relevant at this stage to suggest and analyse a number of entry points to the CM. It is equally important, though, to keep in mind that the system may need fine-tuning. The decisions taken in the coming Steps may require changes to the entry points, why this is best regarded as an analysis of the

most applicable options.

The entry points should preferably be identified in close co-ordination with national staff members and representatives from the user population. The exercise described in Annex 5E can help the process. The outcome of the analysis can be to select the most appropriate entry points and provide input to aspects that needs to be reflected when designing the Complaints Processing Cycle in Step 7.

Facilitation

User involvemen ☆ ☆ ☆

Duration of exercise 50-90 minutes (90 min if Steps 5 and 6 are combined)

Method

- 1.The facilitator makes a presentation in plenum about some of the issues to keep in mind when identifying entry points for complaining. The presentation should be put in perspective with examples from the local context
- 2.Annex 5E is explained.
- 3.Based on the number of workshop participants, the exercise is done in plenum or in smaller groups. The groups can be divided to focus on such issues as types of complaints, sectors or types of complainants, and fills out Annex 5E. Step 5 and Step 6 are presented interdependently in this handbook, but it could be relevant to task the groups with addressing both issues simultaneously.
- 4.When the groups return, they each present the results of their discussions. In most cases, a combination of solutions is best. At this stage, it may not be possible (or advisable) to reach a final decision, as the set up may be adapted following decisions taken in the coming Steps. A few systems can be decided with a rough description of the procedures to be identified.

NOTES:

STEP 6

Decide the form in which the complaint should be submitted

Objective	Decide in which format the complaints should be submitted, including the development of a complaints form
Means	Analysis of the local context and consideration of the directions provided in the Step description, including aspects of anonymous complaints and written as opposed to verbally submitted complaints.
Outcome	List of acceptable complaints formats
Tools	Annex 5F – Complaints form
Reading	Reference 2A Chapter 4.3, Reference 2B

This Step will focus on answering the question: In which form should the complaints be submitted?

The minimum requirements to meet are addressed in Output 3. Reference 2A chapter 4.2 may also provide relevant inspiration and information.

> Output 3 "Logical and easily-understood procedures developed for submission, processing and response / redress of complaints".

Referring to the wording of Output 3, this section will deal with the submission of complaints, while processing and response / redress is described in the next Step. Whereas Step 5 helped to decide on the interface between user and agency in terms of physical submission, this Step deals with the question of which form / format the complaint is presented.

The reason why the procedure should be logical and easy to understand is to avoid that extended level of education is needed to understand and use the system, and to ensure that the users find trust in the procedure. As the procedure should be easily accessible, and easy to use, it is relevant to consult with staff and users to facilitate this Step. A number of aspects to consider:

Written as opposed to verbally submitted complaints.

Accepting only written complaints would in many contexts discriminate a large percentage of potential users, but there are a number of reasons why sticking to written complaints would be beneficial both to the user and the agency.

- In order to process a complaint, the agency and the complainant need to have a clear and mutual understanding of the grievance that does not allow for misinterpretation. This is best secured in writing.
- The complaint should preferably be signed by both parties to limit the danger of (accusation of) alteration, and allow for better and precise response to a concrete issue.
- For the CM to constitute a systemised feedback mechanism for programme planning, the complaint and redress need to be computerised.
- It is important that the system allows for another person (the Complaints Board) to process the complaint different to the one receiving the complaint (e.g. the information officer). Complaints may not be processed immediately, and verbal transmission only increases the danger of details being lost or altered.

For these reasons, it is beneficial both for the agency and for the user, that complaints are submitted in written form. As indicated, though, discrimination of those who cannot write needs to be addressed.

The question about the form in which the complaints should be submitted requires the agency to balance the benefits against the local context. One solution could be to allow that a family member writes the complaint on behalf of the complainant, who then signs. Alternatively, or in addition, the complaints submission system may then allow agency staff to write down the complaint on behalf of the complainant, which the complainant signs. The latter could be facilitated by the opening of a manned "Information and Complaints Desk".

Requirements for and design of the complaints form (example in Annex 5F)

It is an optimal solution if the system allows for the complainant to receive a written token as proof that the complaint has been handed in or accepted. The provision of a token with a unique number for complaints accepted by the complaints office "protects" the agency and the complainant from misunderstandings in terms of whether a complaint was within the scope of the CM or whether the complaint has been submitted in the first place. Without a written token, these issues are difficult to prove and could lead to allegations and mistrust. With a token, the complainant is simply asked to bring it when requesting a response. Please refer to Step 9 on how to respond to complaints.

The complaints form should preferably have a section where the user signs to accept the legitimacy of the Complaints Handling System and the composition of the Complaints Board that deals with the complaint. This is an important basis for reaching a decision (positive or negative) that both parties accept. The complainant does not necessarily accept the response provided by the Complaints Board, but cannot

afterwards – if dissatisfied with the response – complain about the procedure or the composition of the Complaints Board. If the beneficiary from the start does not approve the legitimacy of the system, it does not give sense to process the complaint.

It is worth considering how to allow the complainant to relate their expectations in terms of outcome. Sometimes a complainant may not wish to be compensated, but simply expects a moral recognition of being right. An indication of the expected outcome of the process can guide the complaints handling board toward the kind of solution they should be seeking.

For sensitive complaints, requesting written submission may constitute a barrier. Often with these types of complaints, the complainant does not wish a reply, but simply wants to alert the agency to the accountability breach. An option to protect the complainant is that the Country Director or dedicated board can take notes for further investigation, and such issues do often not need the same level processing, filing and response.

Annex 5F is an example of a complaints form that includes the main requirements. This is a very general form, which can be made much more specific, and to hence increase the possibility for the Complaints Board to decide on the outcome of the complaint immediately instead of initiating an additional investigation. If the complaints, for instance, always fall within certain categories, it could be beneficial to develop a specific form (e.g. for complaints related to one's status on the distribution list, or for the technical complaints related to construction work). Through this, key information can be provided immediately. Continuous improvement to the form leads towards improvement of the system.

The complaints format is to ensure that key information is collected (name, date, description etc.). As mentioned above, many forms may be required to best facilitate different types of complaints, while sticking to the effort of keeping things simple. Each will be signed by the user (and if possible by an agency staff member). For each complaint submitted, the token / slip should be given to the complainant, reading a unique number matching the one on the complaints form. This slip should as well include a date (and place) where the complainant can receive a response. If the system does not include face-to-face contact, it should be clearly stated when, where and how the complainant can receive a response.

Concrete action to take:

» 1.Prepare suitable forms to be used for complaints submission. It should be adapted to the chosen means of complaints submission – it may be necessary to change the means if the required form is not applicable. Please see Annex 5F as an example that presents the main requirements of a complaints form.

Facilitation

User involvement ☆ ☆

Duration of exercise 30-90 minutes (90 min of Steps 5 and 6 are combined

Method

» 1.This Step is introduced including the main issues important to consider.

» 2.As Step 5 and Step 6 are interdependent, it could be relevant to task the groups with addressing both issues simultaneously. The concrete design of the format should not be done during a workshop. A format made in advance can be shared for commenting but the input from national staff and users is most valuable in relation to the level of literacy and adaptation to user-know / existing systems and traditions.

» 3.Having worked through Step 5 and Step 6, a possibility is to identify a group dedicated to the task of fine-tuning.

NOTES:

STEP 7

Describing the complaints processing cycle

Objective	Describe the internal cycle that the complaint undergoes from receiving the complaint, processing and responding
Means	Analysing the local context in trying to identify the most appropriate system for the CM.
Outcome	A map / description of the complaints processing cycle.
Tools	Non specific.
Reading	Outputs from Steps 5 and 6, and material generated from here.

Describing the Complaints Processing Cycle is a task that you may not be prepared to do to its full extent at this stage, but it is relevant give initial thought to what the process will be. How often the complaints boxes are emptied if you plan such? How long should the user wait till they will have a response? Where can the user get a response to their complaints? etc.

Before making the cycle description, it is necessary to briefly consider the relevant outputs and to consider aspects of sensitivity:

Relevant outputs

When looking to the minimum standards, Output 3 stresses that the procedure for "processing" the complaints must be logical and easily understood, whereas Output 1 gives emphasis to the fact that the procedure of the CM must be communicated and made available to relevant stakeholders. Consequently, the procedure must be made and communicated in a form where the potential users of the system easily understand it and has easy access to find it. Users and beneficiaries should ideally be consulted whether the procedure and the description / explanation of the procedure is acceptable.

Aspects of sensitivity

The Complaints Processing Cycle for sensitive vis a vis non-sensitive complaints are very different. Non-sensitive issues can be dealt with in a more public manner and does not need discretion, it is different with sensitive issues. Sensitive issues are much more diverse in content, as a high level of confidentiality needs to be respected. The mere fact that a certain person in the community is seen submitting a complaint can be sensitive and endanger this person. Please refer to the section in Tool 4D entitled "Aspects of Sensitivity" for more information about sensitive

complaint.

One universal complaint processing cycle cannot be developed, as the local context always requires consideration. To provide inspiration to how a context-specific system may look, an example has been made below. It is important to note that the system dealing with sensitive aspects de facto operates independently from the system dealing with non-sensitive ones.

Example of the Complaints Processing Cycle

1. Every Monday at 10-11.00 AM, complaints boxes (hung at all villages where the agency is operational) are emptied by the Agency Information Manager and a community representative. At the same period of time, it is possible to approach the Information Manager with complaints, if e.g. the complainant is uncertain about the system or cannot write. A complaints form is filled and signed. A receipt / token is provided. On the same day, complaints handed directly to the Agency office are compiled. Persons submitting a complaint use the standard form and rip off a receipt from the bottom of the page containing a unique number (See Annex 5F). Complaints are put into an envelope marked 'S' for sensitive and 'N' for non-sensitive. It is as well possible to hand sensitive complaints directly to the Country Director at the office.

2. Every Tuesday, the Complaints Handling Board (consisting of a Community representative, the Information Manager, an Expatriate Project Manager) meets in the Agency office. All envelopes, marked "N" are opened, and the complaints are discussed and decided upon. In situations of disagreement or lack of (e.g. technical) information or knowledge, agency staff specialists, or the Country Director, are called to assist or clarify issues. Sensitive issues and envelopes marked "S" are handed over to the Country Director for him to deal with solely.

3. Based on the decisions reached, the Information Manager enters the response / decision including possible remedy into the database. Copies are printed and attached to the complaints form, and two sets are brought to the field.

4. The following Monday, the Information Manager and the community representative are back in the village at 10-11.00 AM. The complainants come to receive a copy of the response to their complaint and receives an explanation, if any questions. The complainant is presented with his appeals options. He is explained the procedure for using these and exact information / explanation of the next step if the complainant is granted some kind of remedy. Two copies of the complaints form are signed - one for the complainant, one for the agency file.

5. When all the responses have been given, the cycle starts over with emptying the complaints box for new complaints.

» First Monday in every month:

- Information meetings are held to inform about the CM and to discuss the procedure.
- Agency informs about the programme in general (incl. what the CM has led to).
- New beneficiary representative is elected / chosen. Male – Female are rotating.

» Parallel to the above system:

- The HQ has established a CM at the Agency website through which all stakeholders are able to present their complaints to senior management as well as to read about the system. Though the beneficiaries do not generally have access to the internet, donors, staff members and other stakeholders have the possibility to draw issues to the attention of the agency.
- At the website, it is possible to fill or print out complaints forms.

» Sensitive complaints:

- The Country Director joins the team first Monday every month to receive sensitive complaints (e.g. as the Agency office is located 5km away). Response is provided in sealed envelopes during the following cycle.
- Users have access to visit the Agency office to meet with the Country Director personally to share sensitive issues and complaints.

Concrete action to take:

Based on the input and inspiration from above and the results from earlier Steps, make a step-by-step description of how the processing cycle should work – a Complaints Processing Cycle. The effort may lead to change in the means of submitting complaints as new options become clear, and decisions taken in earlier Steps take effect. The description must be very simple and understandable to all users of the CM.

Facilitation

User involvement ☆ ☆ ☆

Duration of exercise 30-50 minutes (time for feedback and discussions in plenum)

Method

As with Steps 5 and 6, Step 7 is related to the direct interaction between agency staff and users of the CM. For this reason, extensive involvement in the decisions taken is recommended.

» 1. The decisions taken in Step 5 and Step 6, the concrete procedure for the CM user to follow will to some extent be self-explanatory.

» 2. Based on the entry points decided, it may be advisable to set up a 3-5 person working group to describe procedures guided by initial input from plenum. This group should preferably have representation from field staff and potential users.

» 3. If possible, the recommendations provided by this working group could be subject to comments from a larger forum. Be aware not to make a too extensive and resource demanding system though this will often be the easiest compromise!

NOTES:

STEP 8

Decide on the procedures for investigating complaints

Objective	Decide on the procedures and persons for investigating complaints.
Means	By considering the input and presented aspects in the Step description.
Outcome	An initial mapping of who should investigate which complaints.
Tools	Annex 5B – Mapping complaints
Reading	Non specific

Deciding on the exact procedures for investigating complaints differs from whether they are sensitive or non-sensitive, and of course on how the system is set up. This Step will provide some important considerations as well as draw attention to some general objectives that should be achieved.

The Output to comply with is mainly number 4, stipulating that complaints are processed by a competent body guided by the concepts of transparency, confidentiality and impartiality, which is relevant for both sensitive and non-sensitive complaints alike. The difference is related to the emphasis on the four key words (listed in the table below).

Below, please find a few general considerations about their importance vis a vis investigation of complaints.

	Sensitive Complaints	**Non-sensitive Complaints**
Competency	The competency of the Complaints Handling System stems from its ability to remain confidential and whether it has the necessary power to take appropriate action.	The competency of mainly the Complaints Board in terms of having (access to) the necessary (e.g. technical) qualification and power to decide and enforce their decision.
Transparency	It is difficult to describe a fixed procedure for dealing with sensitive complaints. These complaints are complex. A person's decision to complain will often be an issue about trusting persons more than the system.	Transparency is mainly relevant in the sense that the complaints are processed against publicised and beneficiary-known criteria, along with the transparency of procedure and Complaints Board composition.

Confidentiality	Confidentially is of extreme importance when dealing with sensitive complaints as it is related to the protection of the complainant. The protection of names during the investigation process is critical.	Confidentiality is relevant, but often not significantly. The system should respect basic principles of protecting names and information, but no extraordinary effort is required.
Impartiality	Impartiality is critical. Sensitive complaints are serious and potentially with severe consequences for the complainant and the subject of the complaint. It is important that only relevant persons are involved in the investigation.	Impartiality is important in terms of the Complaints Board not being biased in its decision. Too complex a system increases the danger of unnecessary breaches within the system.

When reviewing the comparison of sensitive and non-sensitive complaints against these four concepts, it is striking to see that whereas the non-sensitive complaints are processed by a system, the sensitive complaints are processed by a person. Whereas the complainants addressing a sensitive issue put his/her trust in a person, the non-sensitive complainants put their trust in a system.

When examining this aspect of investigating complaints, the necessity of differentiating between sensitive and non-sensitive complaints is again relevant. Investigating these two categorise of complaints will be dealt with separately.

Investigating non-sensitive complaints

As mentioned above, the investigation of non-sensitive complaints is very much an issue about ensuring the integrity of the system, with key values of objectivity, transparency and competency. The setting up and composition of the Complaints Board has already been addressed in Step 5 and normally the board will be able to decide on a complaint amongst themselves without additional investigation.

The details in terms of who undertakes additional investigation, if an issue cannot be decided by the Complaints Board, depends on the complaint. Such circumstances, the problem will be either a lack of information or a need for the agency to verify the correctness of the information provided by the complainant, for example, by confirming that the person fits the vulnerability criteria, or by checking that the installation of the sink in the bathroom indeed is done inappropriately and needs to be redone.

In order to undertake additional investigation, it is important that key basic information on the complaints form is recorded, allowing the agency to find the person once again. As the system becomes operational and the most typical kinds of complaints form a pattern, the system can be made more effective by carefully considering which questions to be asked in the complaints form and how to better formulate

these (see Step 6). It will, though, probably always remain necessary to be able to dispatch, for example, a two-person team to verify or check the claims put forward by the complainant. An important aspect to respect is that at least one of the investigators should be independent from the issue to be investigated.

Investigating sensitive complaints

Investigating sensitive complaints is more difficult and on several issues it is important to have a clear understanding between the agency and the complainant prior to an investigation.

- What does the complainant expect the outcome of the process to be? (Does the complainant simply wish to draw attention to a problem or to have compensation/ remedy?)
- Clarification of the implications of an investigation. (Persons necessary to involve, exposure / role of the complainant in the investigation.)
- Aspects of sensitivity (that could potentially be jeopardised, is the person prepared to step forward to publicly announce the accusations of e.g. assault)
- Clarification about what the agency is prepared to do and potentially how far it is prepared to go.
- What is the likeliness of the investigation being successful?
- Under which circumstances would the complainant not wish to go any further? Under which would the agency need to stop the investigation?

For many, it may have been a significant and important decision to put forward their complaint. The implications and consequences of initiating an investigation can be extensive, and it is important that both parties are aware of the process and have made clear what they each are prepared to invest. Initiating the investigation could potentially endanger the safety of the complainant, but may often also have serious consequences for other persons who were maybe not willing to have this issue advertised. Though difficult, the agency representative and the complainant will need to try to foresee the process and the outcome to know the full extent of the consequences.

The investigation necessary to undertake differs based on the great variety of types and circumstances.

Concrete action to take

The main aim of this Step is to provide input for the necessary considerations related to investigating sensitive and non-sensitive complaints. At this stage, it could be relevant to revisit the information generated in Annex 5B, simply to see which kinds of complaints are possible. Consider the following questions:

- When additional information is requested from the complainant, or the information provided needs to be verified, how will this be achieved?
- Who should undertake this in order to ensure an effective and impartial system?
- Is this team able to address all the types of non-sensitive complaints or which set up is needed?
- Who should deal with sensitive complaints?
- Can the organisation uphold such complaints?

Based on the description above, the first step has been taken in learning how to investigate complaints. When the system is operational, it will be easier to improve the system, not least in terms of improving the complaints format to be used.

Facilitation

User involvement ☆

Duration of exercise 30-50 minutes

Method

This Step does not result in a concrete product, but is food for thought on how to investigate complaints and the differences between sensitive and non-sensitive complaints.

- 1.The facilitator makes a presentation of the general considerations and challenges mentioned in the description of Step 8. In terms of the difference between sensitive and non-sensitive complaints, the presentation can draw as well from Tool 4D and Reference 2A, section 3.
- 2.In plenum, the facilitator opens for discussion an issue to be aware of, in this particular context, that could influence how the agency investigates complaints. Main conclusions can be listed on a flip chart or via a projector.

NOTES:

STEP 9

Decide on the response given to complaints

Objective	Decide what and how to respond to complaints, after having processed them.
Means	By considering the input and aspects presented in the Step description.
Outcome	Input to staff members on issues to consider.
Tools	Non specific
Reading	Non specific

Responding to a complaint has two aspects. HOW to respond and WHAT to respond. These will be dealt with separately.

1.HOW to respond to a complaint

Responding to a complaint should ideally be done both verbally and in writing. The outcome is explained to the complainant on the basis of a written decision, which is given to the complainant afterwards. This is important to avoid any misunderstandings as well as to provide a proper explanation as to why a specific decision has been made. It is the responsibility of the agency to make sure that the response is communicated and understood by the complainant.

In many contexts, though, the actual complaints received by the agency are very similar and related to non-sensitive issues that are better communicated in a wider forum.

A response may be accepted by the complainant or not:

» Response accepted

When the decision is communicated and accepted, the complainant e.g. signs on the complaints form (two copies – one for complainant and on for the agency) that the response has been provided and accepted. This is relevant for the Agency in order to close the case and prevent the issue from continuing to pop up, thereby using up a lot of resources / time. The case is then filed and closed.

» Response not accepted

As part of the response, it is the Agency's responsibility as well to provide information on appeals opportunities, in case of dissatisfaction. If the beneficiary does not accept an outcome, an appeal must be offfered unless new information is provided

that changes the circumstances and leads the Complaints Board to reconsider the case.

If the complainant is allowed to appeal, the procedure is explained on the basis of Annex 5D mapping the appeals body based on the type of complainant and complaint. Most often (non-sensitive) in the case of complaints submitted by beneficiaries, the complaints form will simply be given to the appeals body along with the outcome of a potential investigation.

2. WHAT to respond to a complaint

What the response will be is closely related to the description in the information campaign (ref. Step 10) with regard to the commitment that the agency wishes to be held accountable. It is obviously important that the decision reached by the Complaints Board is based on the criteria communicated and as part of the information provided to the user of the CM.

» Negative response

If the complainant is not supported in their claim and the complaint is rejected / not substantiated, the case is either closed or appealed. The way and reasoning by which the message is conveyed is obviously important and should respect potential aspects of sensitivity and dignity.

» Positive response

A positive outcome can be trickier. In the exercise linked to Annex 5B, possible remedies were identified and listed against likely complaints. If a potential beneficiary was wrongly bypassed during the assessment, the appropriate remedy in case of an NFI distribution could be to provide him with the very same items. Sometimes, though, all items have been distributed or funding has been used, so this is not an option. The reply will be up to the Complaints Board to decide.

The timing of receiving a complaint influences very much the agency's options for remedy. Under Step 10, on how to communicate, the issue is addressed further, but it is key to underscore in this section that the access to file a complaint and having it considered objectively is important in terms of ensuring the dignity of the complainant and hence the agency's accountability. Even if the only remedy offered is a recognition of the mistake make.

In the complaints form shown in Annex 5F, the user is encouraged to indicate their own expectations to the response or remedy provided. If the complainant expects simply an acknowledgement of a certain issue, they may feel insulted if offered what they perceive as redemption. In another situation, the complainant may have unrealistic expectations and may need to be explained more thoroughly the resources available to the project. The danger of having the complainant indicate their expectations is that it may raise expectations.

Concrete action to take

This Step is thought of as both input and inspiration, but does not as such generate a concrete product as output.

Facilitation

User involvement ☆ ☆

Duration of exercise 30-40 minutes

Method

As above, this Step does not generate a concrete output. Rather, it is a chance for users and national staff to create input on how the affected population reacts when receiving a response.

» 1.The facilitator makes a small presentation of the issue based on the description of Step 9.

» 2.In plenum, potential conflicts in terms of responding to complaints should be raised. These could include:

- How do beneficiaries react when they receives a negative response?
- How should positive and negative responses be communicated?
- What will the reaction be if the complainant is supported in their claim, but that e.g. resources do not enable the agency to provide proper remedy?
- Is the safety of agency staff endangered when responding? (A change of set up may be necessary.)

» 3.It will be valuable for the staff members dealing with complaints to have some kind of guide on how to respond. Based on these discussions, a list is made of the issues discussed that can contribute to the development of such a guide. Furthermore, some of the challenges raised can be addressed when discussing the CM in the communities. This will be discussed in Step 10.

NOTES:

STEP 10

Design the information campaign

Objective	Design an information campaign including how and what to communicate
Means	By considering the input and aspects presented in the Step description.
Outcome	A description of what to be communicated to users of the CM, and input and inspiration about how best to do it
Tools	Annex 5G – Means of communication as per potential user Annex 5H – What to communicate to the user
Reading	Non specific

Accountability, transparency and communication are closely related. Various aspects of communication have received special attention in HAP Benchmark 2 reading: The agency shall make the following information publicly available to its intended beneficiaries, disaster-affected communities, agency staff and other specified stakeholders: (a) organisational background; (b) humanitarian accountability framework; (c) humanitarian plan; (d) progress reports; and (e) complaints handling procedures[5].

All these aspects are relevant to beneficiaries, but obviously request different media. Some information is provided verbally or through posters in the communities, while other is made available though the agency's website or provided in print. Though this description will focus on information and communication relevant mainly for the CM, the issue should be addressed more holistically and integrated into the existing systems and procedures of the programme. Keep it simple and build upon existing systems when possible!

Output 1 requests that the procedure, purpose and parameters of the CM have been communicated and made available to relevant stakeholders. When designing an information campaign, it is hence relevant to consider both WHAT to communicate and HOW to communicate. These aspects will be dealt with separately.

WHAT to communicate.

What to communicate is related to all the information necessary for the beneficiary to know in order to identify the gap between the assistance provided against the assistance promised. Qualitatively and quantitatively. It is this gap that the complainant could be interested in complaining about and at the same time that the agency feels responsible for.

However obvious it may be for the experienced humanitarian worker to see what constitutes temporary shelter assistance, for instance, the beneficiary may expect that they were to decide on issues such as the number of windows, design, colour, size, electrical installations and ownership relations. He might as well have thought that everybody in the community would receive a house and that his cousin would be allowed to build it. When in fact he got plastic sheeting and four wooden beams.

If the agency wishes the user of the CM to know what he can complain about, there mus be an explaination of both the promises and commitments that the agency will be held accountable for and what the agency is prepared to provide as response / remedy if the defined commitments are not met. Output 1 recommends that procedure, purpose and parameters of the CM are the minimum requirements to be communicated. With that in mind, it will be relevant to share the following information with the users of the CM:

» Presentation, Agency

- Presentation of the organisation.
- Presentation of the principles, standards, assistance frameworks, codes (incl. those applicable to staff), accountability etc. to which the organisation commits – or are prepared to be held accountable to. (Supported and inspired by Annex 5B and Reference 2A chapter 3.1)

» Presentation, Project

- In the presentation of the project and objective, it is crucial to have included selection / vulnerability criteria, approach and stages of beneficiary involvement, description of assistance or services offered (e.g. supported by pictures), funds and resources allocated and to identify donor, partners, etc.

  This part should enable the beneficiary in detail to know what to expect and the terms for becoming a beneficiary as a basis to consider whether he wishes to or can be part of the project. It will enable the potential complainant to present his concerns prior the initiation of the project and complain if deviation is detected. As priorities, approach or else are changed during implementation, the information communicated should obviously be updated. It is important to highlight that such changes can occur. Most of this should be reflected in the donor application, but translated into a concrete output terminology.

» Presentation, CM

- Why. Explaining the purpose of the CM (e.g. related to accountability, improving the system by learning from ones mistakes or to ensure optimal usage of resources – see Step 1) and the right of beneficiaries to complain.

- What. Explaining in detail what it is possible to complain about (see Step 2) as well as possible remedies (including limitations). This should be as concrete as possible (see Step 9) - both in terms of what is provided, and how (beneficiary involvement, consultation etc.). The scope of the CM has already been identified under Step 2.
- Who is allowed to complain?
- How, where and when. Procedures (including how, where and when to complain and receive response / remedy (e.g. explained in a simple figure), the Complaint Handling System including the composition of the Complaints Board (and maybe how it is chosen), how the complaint is processed and appeals possibility, etc). In Step 4, you defined sensitive and non-sensitive complaints. This should be reflected as well in order for the users to know to which complaints handling board each type of issue should be addressed.
- The policy of non-retaliation against and confidentiality towards the complainant. In order to comply with HAP Benchmark 5.2e (see Reference 2C), the agency is required to formulate a "confidentiality and non-retaliation policy for complainants". In terms of communication, it is sufficient to commit to these principles and to communicate this commitment to the user population.

It is important not to communicate too much to beneficiaries. Not that they do not have a right to know, but too much information can blur the key message. If the operation and the CM is building upon a solid pillar of accountability, the fundamental trust that beneficiaries have to the agency will remain more important than an extensive amount of information.

The information and the details to be communicated differ from one CM to another, based on the level of ambition. The overall standard highlights aspects of relevance and control, but the minimum requirements aside from that are limited. Though it could be advisable to start with a relatively concrete level of ambition in terms of what the country programme wishes to be held accountable to, one has to consider the relevance of, for example, signing up to the code of conduct if the agency is not prepared to be held accountable to it before their beneficiaries. (HAP members striving for certification need to argue why not if organisational commitments are not reflected in the CM, as they are requested to inform HAP about organisational commitments).

As part of the CM information campaign, it could be relevant to encourage the user to complain as soon as an issue arises. This will enable the agency to better correct the mistake and provide the appropriate remedy. It is often difficult to do an additional distribution if one or two families, for instance, have been missed during the assessment, but much easier to assess the missed part of the community if alerted

in advance.

All kinds of complaints that may be regarded as legitimate, but were received at too late a stage for the organisation to provide the proper remedy, should give reason to consider whether the information shared with beneficiaries is sufficient, whether the correct means was used, and whether provided at the correct time. In some situations, it could be an option to allow certain complaints access only at certain stages of the implementation cycle, but this rarely helps the complainant very much!

Rather, the agency should encourage the donor to allow for the necessary flexibility within the budget if the unfortunate situation occurs where, for instance, a family was wrongly missed in the beneficiary selection process. This will obviously not solve every instance, but an explanation on why the expected remedy could not be granted is both a dignifying response, and not least educational for the agency in terms of process and approach.

HOW to communicate

The best way to communicate and inform beneficiaries necessitates good guidance from local staff members and preferably from the beneficiaries themselves. Communication should build upon existing structures and traditions, and not over-rely on entities such as the internet.

In Output 1, reference is made both to communication and availability. For something to be communicated, an active effort is requests in addition simply to e.g. posting information on the warehouse wall (as entailed in simply making something available). By committing to communicate the procedure, purpose and parameters of the CM to its users, the agency accepts the responsibility for ensuring that the information conveyed has been understood. This responsibility is highlighted in the HAP Benchmark 5.3.

Important issues to consider include the levels of literacy, gender issues and access to different forms of media, but the actual size of the project, area of operation and the demographics all set limitations to the applicable means of communication too. Many of the thoughts related to this step have already been covered as part of Step 5 and the effort to identify appropriate means of submission and very often, information, will be presented in the same place as for submission. Different ways and media applicable for communication include:

» Written communication

Written communication is central in making information available, but does not alone ensure that information has been communicated (and understood). Written means of communication include:

- Internet Often not a possibility for the beneficiaries, but could be a good supplementary means of facilitating complaints from national staff members,

other agencies, donors etc. if the subject of the complaints makes the existing system and the Country Director unable or unfit to deal with a certain issue.

- Newsletters Maybe the organisation produces a newsletter. This is often not shared with beneficiaries, but helps to inform of potential users of the CM.
- Posters Posters seem applicable, especially in community-based approaches, targeting large segments of the population.
- Pamphlets Pamphlets allow for a more targeted audience, and could be given out in relation to signing of contracts, when beneficiaries have been selected and in general shared with relevant stakeholders as well for visibility purposes and documentation.

» Verbal communication

Verbal communication allows for a dialogue and better ensures that the information is understood and that misunderstanding is avoided. Verbal communication, though, is best supported with written communication with regard to, for instance, the concrete presentation of the procedure and criteria for acceptable complaints. Verbal means of communication include:

- Meetings Information meetings held regularly (e.g. bi-monthly and / or prior to every new intervention) during which all aspects of the CM are presented and explained. This would as well constitute a good opportunity to receive input from the beneficiary population on various aspects of the CM including entry points, procedure, means of communication, composition of the complaints board etc. Involvement of this kind is in itself a way to demystify the concept of a CM, and increase its legitimacy and likeliness of being used.
- Desks If the entry point of the CM consists of an information / complaints desk manned by staff members, this serves as a very good and safe opportunity for the users, both when seeking information (to facilitate a smooth submission of complaints) and to avoid submission of invalid complaints.

  Programmes often already have some kind of manned presence in the areas of operation. The field office (opened at fixed time or days) is an obvious location.
- Focal point Same values are achieved in the suggested procedure for processing complaints explained in Step 6 where a person can be found at a known place and time.

All communication – both verbal and written – should be in local language(s) used by the complainant.

One important factor to be aware of is that some groups may fear for their personal safety due to the exposure that an extensive information campaign could generate.

Please see Reference 2A chapter 3.2.

Concrete action to take

WHAT. You are now ready to produce your information material both in terms of what it needs to contain and how to present it. With regard to the latter, language and form must be as easy and straightforward as possible. With regard to the content, it is important to have your own purposes before you when deciding what is relevant for the user to know. The balance to be achieved is of course as simple and precise as possible.

HOW. Based on local traditions and existing systems within the agency, develop a means of communicating that will facilitate the different kinds of users. Creativity in finding means to reach the targeted groups should guide this process. Share what you come up with, and find inspiration in the Best Practises on www.drc.dk/cm.

Facilitation

User involvement ☆ ☆ ☆

Duration of exercise 90-120 minutes

Method

The whole issue of communication is extremely important to ensure that a consistent, precise and sufficient message is sent to potential users of the CM. Though all decisions in this respect cannot be taken in plenum, it is important to facilitate an inclusive process in terms of considering what and how to communicate.

» 1. The facilitator introduces the issue based on the description in Step 10. This presentation should emphasise the importance of communication, and detail the two overall issues that are important to draw attention to.

» 2. Two groups are formed to address the following issues:

How to communicate?

- How can we integrate the communication about the CM into the agency's existing approach to communication with beneficiaries and other stakeholders / potential users?
- Means of communication and proposed languages.
- Discussions can be inspired by the suggestions provided as part of Step 9. Annex 5G is used in the groups and will be the basis for the subsequent presentation.

What to communicate?

- Use the head lines from above on 1) Agency, 2) Project and 3) CM.

- The group will only provide guidelines for a more detailed information campaign, which will be made in a different and smaller forum. Discussions can be inspired by the suggestions provided as part of Step 7. Annex 5H should be used in the groups and will be the basis for the subsequent presentation.

» 3. When returning, each group should make a presentation of their discussions.

NOTES:

STEP 11

Develop an LFA for the CM

Objective	Develop an LFA for the CM providing a general view on how the mechanism respects the minimum requirements of a CM.
Means	Analysing and fine-tuning the decisions taken in the past 10 Steps.
Outcome	An LFA summarising the objectives, indicators and activities as per output.
Tools	Annex 5I – Developing an LFA Tool 4E – Suggested Indicators, MoV and activities.
Reading	Reference 2B – Standards and Indicators.

During the past 10 Steps, relevant questions have been asked in terms of designing a CM adapted to the specific local context and the level of ambition. Step 11 constitutes a final and overall analysis of all the completed matrices and tables with the aim of summarising the decisions that collectively contribute to fulfilling the minimum requirements. This is done via an LFA matrix.

One of the main benefits of developing an LFA, which matches the minimum requirements against concrete indicators and activities, is that it constitutes a mutual reference document within the office. This is important in order to ensure a common understanding on what is to be achieved, but the LFA is also the concrete reference point on which to base monitoring of how the CM is conducted and as a measure of impact. The LFA is easy to attach to funding applications and reports to donors, as documentation of the organisation's commitment to strengthening accountability and resources that is required. Finally, the LFA can serve as documentation to HAP and as part of internal annual reviews from donors or HQ to provide a brief and concise view of the initiatives taken to comply with the minimum standards under the CM.

Concrete action to take

Find in Annex 5I an LFA format that can be used. The standard and the four outputs are mandatory and have already been filled, while the next step is to develop individual indicators, activities, means of verification and inputs. When identifying and choosing these, a number of tools developed, and thoughts made during the past Steps, can be used.

What is meant by an individually-designed indicators, activities and MoVs? In Out-

put 1, it is requested that relevant stakeholders are consulted in, for example, the development of procedures, purpose and parameters. Whether, though, this entails a workshop with donors, the host community and beneficiaries, or simply a questionnaire to selected groups of beneficiaries, is up to the individual programme to decide. Both choices can be said to live up to the output, though with different levels of ambition. Furthermore, relevant stakeholders would always be beneficiaries, but whether potential beneficiaries, staff, donors, partners, local authorities as well are included is optional.

In Tool 4E, suggested indicators, activities and means of verification have been listed for each of the four Outputs to provide inspiration for the development of more context specific ones. The column references made below refers to the columns in the Annexes:

Column 1 Aspects to be reflected. This column lists different aspects to be reflected in the indicators. Part of complying with the Output is to reflect in the indicator all of these aspects. These are of course different for the four Outputs.

Column 2 Possible indicators. Column 2 is a suggestion of how to phrase the concrete indicator. The suggested indicators should be as concrete and measurable as possible. Which indicators are developed is fully dependent on context and how the the CM has been set up throughout the former 10 Steps. The relevant material and documents to review when developing indicators for the four Outputs are:

- Output 1 The procedure, purpose and parameters of the CM have been communicated and made available to relevant stakeholders
  - Tool 4E-1 provides suggested indicators for Output 1.
  - Step 10 – Designing an information campaign and how and what to communicate.
  - Steps 4, 5, 6 and 6 – Procedure of the CM. How and in which form can people complain and what will the internal procedures be and set up for processing the complaint.
  - Step 1 – Purpose of the CM.
  - Step 2 and 3 – Parameters of the CM. Who can complain and what can they complaint about.
- Output 2 Intended users have safe and easy access to use the CM
  - Tool 4E-2 provides suggested indicators for Output 2.
  - Reference 2A, section 4.2 – When filing a complaint
  - Step 3 – Defining intended users.

- Step 5 – Defining entry points for the complainant

See as well Reference 2A, section 3.1, 3.2 and 3.4 for sensitive issues and the protection of users.

» Output 3 Logical and easily-understood procedures developed for submission, processing and response / redress of complaints

- Tool 4E-3 provides suggested indicators for Output 3.
- Reference 2A, section 4.3 and 4.4 – Processing a complaint and providing redress.
- Step 4, 5, 6 and 6 – Procedure of the CM. How and in which form can people complain and what will the internal procedure and set up for processing the complaint be.
- Step 9 – How and what to respond to complaints.

» Output 4 Complaints are processed by a competent body guided by transparency, confidentiality and impartiality

- Annex 4E-4 provides suggested indicators for Output 4.
- Reference 2A, section 4,3 – Processing a complaint.
- Step 4 – Designing the Complaints Handling System, including Tool 4D on setting up the Complaints Boards and considering sensitive issues.
- Step 8 – Investigating complaints.

Column 3 Activities. This column should list possible activities under the indicators. Based on the indicators made and inspired by the material referred to above, list the concrete activities per Output.

Column 4 Means of verification. This column should list possible means of verification to document the impact related to the indicators. It could be beneficial to indicate the MoV as per indicator.

Facilitation

User involvement ☆

Duration of exercise (not suitable for involvement of a large group)

Method

Summarising all the information generated after having gone through the Steps is difficult to achieve in a large forum, but if the LFA will be used actively, and against which monitoring is done, it is valuable to have input from national staff in terms of indicators. Use Annex 5I.

Notes

1) The users constitute mainly the beneficiary population, but could include other groups. Please refer to Step 3.

2) When establishing a CM for staff members, the Agency "Staff Code of Conduct "constitute an concrete, logical and a clear reference against which staff members are allowed to complaint though it may be very value-based.

3) This could be in the form of a whistle blower function. Such, though, does not invite for communication, but is sometimes used for unsubstantiated rumours and accusations among colleagues. The anonymity allowed under a whistle blower function (e.g. an email directly to HQ), though, may be what is required to invite the most serious kinds of accountability breaches.

4) Transparency means not that all complaints and decisions are advertised publicly as this could jeopardise the safety of the complainant. The requirement of transparency is related to the way the Complaints Handling System functions and who is members of the Complaints Boards.

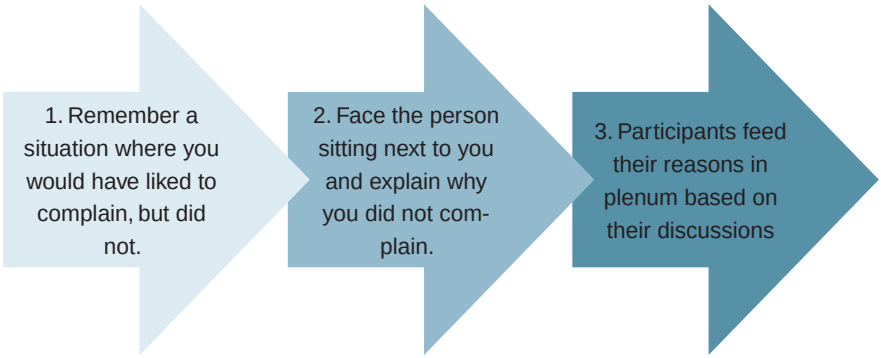
5) For agencies committed to comply with the HAP standards, a Humanitarian Accountability Framework (HAF) should be developed that includes a description of the complaints handling procedure. It could be relevant to consult HQ / HAP focal point as an agency template may be available.

NOTES:

CHAPTER 4A - TOOL BOX
THE CONCEPT OF COMPLAINING IN PERSPECTIVE

As introduction to the concept of a complaining, it is important to establish a positive entry point that all can relate to. Some may be sceptical as to why the agency should have a CM, but most people – when they come to think about it – have been in a situation where they were dissatisfied, but did not complain. The reasons why people do not complain can vary.

Tool 4A constitutes a short exercise, which will reveal some of the positive aspects of complaining and having ones complaints dealt with - especially if handled in an open manner!



» 1. Each workshop participant is asked to remember a situation where they would have liked to complain, but did not.

This could be:

- A newly bought telephone that turned out to have a scratched display.
- Poor treatment in a clothing store or restaurant.
- A colleague who made an unjustified verbal outbreak directed at you.

» 2. All the participants are asked to share their reasons why they did not complain (e.g. best done in pairs). This should take 5-10 minutes.

The reasons could be anything, such as:

- Fear that maybe I misunderstood something.
- Not wanting to escalate the conflict.
- Was not prepared to go all the way in the complaints handling system.

- Fear of retaliation.
- Not having the time.
- Not feeling the need to complain until later.
- Not knowing how to complain.

» 3. Participants then share from their discussions the reasons why they chose not to complain. These are listed on a flip-chart by a support facilitator.

Points to be drawn from the plenary discussions and for the facilitator to make:

» The reasons why people wish to complain are many, and not obvious to the given situation. For the agency, being directly of indirectly the subject of the complaint, this means that staff members may be doing everything correctly, but maybe a minor issue in the approach annoys some beneficiaries. Maybe the staff thought that, for example, it was a good thing to involve women in the design of the water stations, but actually they prefer not to be involved.

» The subject of the complaint (the staff member) may not be aware about your dissatisfaction.

» All complaints are legitimate. Even though you may have misunderstood something and thus your complaint turns out to be groundless, your dissatisfaction was relieved by the fact that the issue was voiced. This issue challenges the narrow CM based on the idea that some complaints are more important than others.

» The dissatisfied customer not able to complain will simply choose a different shop the next time as their own small means of "evening the score". The beneficiary does not have that option or the power. They are stuck with you – happy or not. So much stronger is the obligation to facilitate complaints!

» If the user of the CM trusts that their complaint is dealt with in an objective and positive manner, he /she are more likely to complain. And as you know that your agency is trying their sincere best, it is likely that the complaint is actually a misunderstanding or has a logical and fair explanation. In order for you to be able to provide this explanation, and hence tackle the dissatisfaction, it is important for the agency that people make complaints.

Conclusion

The overall outcome of the exercise should preferably be that the participants realise that complaining can have positive aspects related to fairness, dignity, equality, transparency and accountability. A CM is a formalised means of strengthening communication between the agency and those whom we claim to assist.

Having access to complain empowers the beneficiary against the agency in a manner where the power balance between agency and beneficiary is limited. Empower-

ment is in itself a valuable impact of humanitarian assistance. Not having access to complain and being left with one's dissatisfaction generates frustration and leads to a feeling of disempowerment.

CHAPTER 4B - TOOL BOX
CHOOSING SECTORS FOR THE COMPLAINTS MECHANISM

This Tool is developed to assist in identifying exactly which areas or sectors of the programme the CM should address. The number of areas or sectors included in the CM can easily be extended at a later stage, but it is important to get a good and manageable start.

Whereas Tool 4C focuses on areas where the population and the beneficiaries are de facto complaining, Tool 4B is most applicable in relatively new operations or for new sectors / activities where the programme is not familiar with the type of complaints received. Tool 4C is more relevant for established programmes with a beneficiary population already addressing complaints to the agency.

As mentioned in 2A Concept Paper, a CM is understood as a set of "simple procedures and mechanisms that give beneficiaries access to a safe means of voicing complaints on areas relevant and within the control of the agency". This definition emphasises the importance of a balance between relevance and within the control.

Relevance. Relevance is important as a complainant would not be interested in filing complaints that the agency neither can nor will react to. Furthermore, relevance is related to the fact that the CM should be designed to address areas or sectors where potential accountability problems are the most prominent, and where beneficiaries actually have something to complain about. The CM has no value to beneficiaries or to an agency if it does not address areas of potential accountability breaches.

Control. The Agency has – through contracts with donors, beneficiary criteria, adherence to various standards etc – made many promises and commitments to which it holds itself accountable. Beneficiaries should be able to voice their complaints about all of these commitments as one means of ensuring compliance. On the other hand, if the CM gets over-burdened with too many complaints and cannot provide proper response or compensation, the CM loses its value and the agency's trustworthiness becomes undermined.

The CM should balance these aspects carefully and – towards the users – be very clear on the scope of the CM by informing about possible limitations to acceptable complaints.

With these considerations in mind, the following description constitutes a simple guide (or mini SWOT analysis) for choosing which sectors / projects / areas the CM

applies to.

Annex 5A comprises a basic matrix to be used in the process.

1.Programme Analysis

» This first step is to make an exhaustive list of the agency's activities / projects:

- Food distribution in district X.
- NFI distribution in district Y.
- Temporary shelter assistance to village Z.
- ToT in the village school.

List the identified bullet points in the right-hand side of the matrix.

2.Relevance to a CM

On the basis of each of the listed components, consider the relevant[1] elements within each of the activities / projects where accountability is likely to be threatened and in relation to which beneficiaries hence could be interested in filing a complaint. These are the ones the agency potentially would wish to set up a CM for.

The relevant areas that the Agency wishes to be held accountable to are principally those in which promises and commitments have been made. These are first and foremost concrete issues directly related to beneficiaries, but could as well be commitments made as an organisation and to donors. These issues are related both to what is provided and how it is provided:

» Promises made to beneficiaries

Beneficiary vulnerability / selection criteria, implementation approach (e.g. participatory), quality and quantity of the output, aspects of volition, unfortunate side-effects, quality or access to proper information, appropriateness of approach, product or service etc.

» External codes of conduct

Code of Conduct, SPHERE, Assistance Framework etc. These could include commitments to participation and the use of local resources, misuse of funds, gender balance, attitude of staff (e.g. harassment, threats), the CM-procedure itself, a dignified approach, impartiality etc. These commitments need to be defined / explained if complaints are accepted on them.

» Contractual agreements

Commitments may have been made in the application / contract or as part of being an implementing partner to, for example, ECHO and UNHCR.

You will need to find a realistic level of detail and try to be thematic. The challenge when making this analysis is that a CM has the added benefit of making the agency

aware of unintended side-effects of its activities. By establishing a narrow margin for acceptable complaints, the benefit in identifying unintended side-effects is often lost. Often, the users are not only actual, but potential beneficiaries – persons that the agency's assessment missed when locating, for instance, beneficiaries for the NFI distribution (to be decided in Step 3). These as well should have access to complain when a needs-based approach to assistance is adopted.

3.Control

Prior to choosing which are the appropriate for the CM, it is important to try to foresee some problems of establishing a CM for this particular project in this particular / local context. It may be worth considering, for example, what the realistic reaction could be to a specific accountability breach.

The next step is to re-consider the possible type of relevant complaints against the threats and difficulties that they pose. Aspects to consider include the local context, security environment, gender issues, the number of complainants, who should have access to complain etc., which complaints could become uncontrollable for the agency, the threats posed to the beneficiary population or even whether complaints jeopardise the operation in general. Some reasons that complaints can become uncontrollable include:

- The agency cannot properly investigate the issue (too complex to investigate e.g. who said what).
- The Agency cannot provide redress.
- The Agency simply cannot manage masses of people.
- Too sensitive in this country / context.

Furthermore, please refer to Reference 2A Part 3, listing some of the challenges and risks related to establishing a CM.

These considerations may deter an agency from choosing a particular sector as subject for a CM – but rarely. Most often, a simple re-design of the CM can address the problem. Maybe an alternative stakeholder could host a system to deal with the complaint, maybe the CM could be designed to manage the challenge.

4.Choosing one or more sectors

In the last column, it is relevant to draw some general points or considerations with regard to the input provided throughout the discussion. (Tool 4C will take you more into a detailed analysis of the specific areas that you have chosen for the CM to address.) The outcome of this exercise should mainly be to choose one or more

sectors or projects for which the agency wishes to establish a CM.

> Beneficiaries have a right to complain to a humanitarian agency, if it is claiming to be accountable to them!

You may choose to establish and design a very specific CM that addresses a very particular problem (sexual abuse, misuse of funds, distribution of NFI in a certain areas or the local community centre etc.). In other contexts, a more general CM covering a range of activities would be preferable. There could be a reason why one would like to start with very concrete and less complex sectors (e.g. distribution activities) to become better familiar with the concept, but naturally as well a wish to focus on the sectors with the highest risk of accountability breaches.

In some humanitarian contexts, a CM is not related or based on the specific activity, but more in addressing the approach of staff. This guide contains activities as points of departure (the external link to beneficiaries), while the need may be specifically to address internal procedures. Both are important aspects of being accountable.

Notes

1) Relevant for the agency meaning something that it is in fact able and willing to do something about.

CHAPTER 4C - TOOL BOX
MAPPING COMPLAINTS

Tool 4C is a mapping exercise, based on which the agency can then develop a clearer view of the complaints received and hence decide what areas the CM must address. By allowing a discussion about the types of complaints received, it is easier to decide how the complaints procedure should function, who should sit on the complaints board, alternative means of complaints etc.

Whereas Tool 4B has been developed to assist in identifying which areas or sectors of the programme the CM should address, 4C focuses on areas where the population and the beneficiaries are de facto complaining. Tool 4C is most applicable for existing programmes with a beneficiary population maybe already addressing complaints to the agency.

Below is a step-by-step introduction. Please use Annex 5B for the exercise.

1. Valid complaints.

List in column 1 all the complaints that staff receive (from beneficiaries, in the local communities, potential beneficiaries, authorities, partners, staff etc.). This is best achieved as a brain-storming exercise. For larger operations, it could be a good idea to focus on one sector or area of the programme at the time – e.g. the sectors or areas chosen through following the exercise linked to Tool 4B – or let the audience split into teams based on the sectors in which people are working (shelter, income generation, capacity building etc).

It is important to remember the great variety of complaints in addition to those directly related to the product / service rendered. The relevant areas an agency wishes to be held accountable for are principally the promises and commitments made. These are first and foremost concrete issues directly related / made to beneficiaries, but could as well be the obligations made as an organisation and to donors. These issues are related both to what is provided and the how it is provided:

» Promises made to beneficiaries

Beneficiary / vulnerability / selection criteria, implementation approach, quality and quantity of product or service, aspects of voluntary work, unfortunate side-effects, quality or access to information, appropriateness of approach and output etc.

» External codes of conducts

Code of Conduct, SPHERE, Assistance Framework etc. These could include commitments to participation and use of local resources, misuse of funds, gender balance, attitude of staff, the CM procedure itself, dignified approach, impartiality etc. These “soft” commitments needs to be defined / explained if complaints are ac-

cepted related to these.

» Contractual agreements

Commitments may have been made in the application / contract or as part of being an implementing partner to e.g. ECHO and UNHCR (procurement, procedures, code of conduct for staff, etc).

Describe the complaint as specifically as possible in a few words. Use flipcharts or projectors as facilitation tools.

2.Categorisation of Complainants

It is a good idea to group the complaints according to who raises them, i.e. the complainant groups (in column 2). This categorisation will be important during design of the CM at a later stage (the complaints boards dealing with complaints from beneficiaries may not be the same as that dealing with complaints from donors or authorities). After having listed all the complaints, it is easier to deal only with those from beneficiaries, potential beneficiaries and the host community, and agree that all other complaints should go directly to the Country Director / another complaints-handling system. Here is a list of the types of people who are likely to complain.

- Agency beneficiaries (whether NGOs, vulnerable groups etc.).
- Potential beneficiaries.
- Host community / displacement affected community (of the beneficiaries).
- Neighbours / non-displacement affected population.
- Internal agency staff.
- Partners, donors, authorities and others.

The beneficiary complaints are the most relevant ones. It may be an idea to return to column 1 as additional complaints are remembered after having grouped the complainants.

3.Relevance

Is the complaint relevant in the sense that the agency will and can influence this issue? If the agency cannot or will not address the issue, the CM will not provide a remedy to these types of complaints[1]. As an accountable agency concerned with the dignity of the beneficiaries, it is an important function of the CM and a good opportunity for the agency to explain to the complainants why the agency will not, or cannot, comply with their request.

State "yes" for relevant complaints and "no" for not relevant complaints in column 3.

4.Control – remedy / response offered

Based on whether the response is "yes" or "no", do the following:

NO . Very often, it is relevant to provide referral possibilities that the complainant can use (other agencies, donors, authorities, local community committees etc) if available. Based on the complaints that the agency cannot or will not influence, consider whether it is possible to refer the complainant to a relevant responsible authority to have their complaint handled.

List the relevant authorities (in reality) to whom the agency can tell the beneficiary to turn to for an answer.

YES. The consideration on whether the complaint can become uncontrollable is as well related to the response or the remedy that the agency is able to provide, and whether this will be accepted by the complainant. At this stage, it is valuable to consider possible responses (answers) or remedies (e.g. compensation or change of procedure) to generate an idea about the aspects necessary to consider in relation to the design of the CM.

List possible remedies or responses the agency is realistically able and willing to provide AND that the agency expects the complainant to accept. Though maybe only an apology is offered, it is often accepted and is better than the alternative of not being able to voice one's dissatisfaction.

5. Level of sensitivity

When considering the level of sensitivity of the complaint it is important to decide who can handle / address the complaint. Whereas complaints related to the quality of the items distributed, status on a beneficiary list or beneficiary criteria, are generally non-sensitive issues, complaints about a staff member due to misbehaviour, abuse, neglect etc. may be very sensitive for the complainant to raise.

Aspects of sensitivity are important when designing the complaints procedure. In general, the majority of complaints are non-sensitive and can easily be handled by a complaints board consisting of national staff (and maybe as well beneficiary representatives) making decisions based on the published criteria. Other more sensitive complaints, though, should be dealt with e.g. expatriate staff or the Country Director directly. The principle to be observed here is that the person handling the complaint should be removed from the subject of the complaint.

Obviously, it should always be the user of the mechanism who decides whether the complaint is sensitive or not. It is important that the system of receiving and processing complaints has the necessary degree of confidentiality and integrity to protect the user (if the CM regards sensitive complaints as valid).

In column 5, state whether the various types of complaints should be regarded as "sensitive" or "non-sensitive"

6. Should our CM deal with this issue?

Sometimes it is relevant to comment on the limits of the CM, which can be mapped in column 6. Issues to consider may include:

- When the answer is "no". Why is the agency not prepared to respond to this complaint. This is important to generate a full view of the argumentation surrounding possible limitations of the CM.
- Issues of concern under this complaint.
- This column can as well be used to grade from 1 to 3 on how important it is for the agency to deal with these complaints (this could generate constructive discussions among staff).

On the basis of this analysis, a clear impression is provided on the types of complaints received, and hence what a CM should address. The list of complaints identified through the exercise, though, cannot exclusively be used in the setting up a CM, but provides only the basis. As the outcome of the exercise is used throughout the 11 Steps, it is worth being exhaustive when identifying both complainants and different types of complaints.

Notes

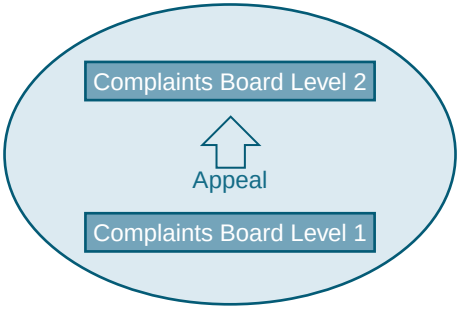
1) "Cannot's" could be that the complaint is related to issues external to the agency (complaints about other stakeholders), while the "will not's" could be that compliance would request going against fundamental operational principles, ethics etc)

CHAPTER 4D - TOOL BOX
SETTING UP A COMPLAINTS HANDLING SYSTEM

The Complaints Handling System is the agency apparatus that decides on the complaint and remedy. The Complaints Handling System is indicated with a circle in Figure 1.

The Complaints Handling System consists of one or more Complaints Boards (CB), which is the specific person or group of persons dealing with a set / type of complaint. The Complaints Boards are normally hierarchically structured, where one level functions as appeal to the other (indicated as squares). The Complaints Board at level 1 forms the main body and level 2 is the secondary and appeals body.

Figure 1



Tool 4D will provide guidance on how to set up a proper and adequate Complaints Handling System capable of dealing both with the different types of complainant as well as the variety of complaints, be they sensitive or non-sensitive.

1. Composition of the Complaints Boards and aspects of sensitivity

Considering the differences in complainants and complaints, a general set of recommendations can be provided in terms of which types of Complaints Boards are judged as qualified to deal with complaints. The Complaints Handling System will most often consist of multiple levels (as in Figure 1), and will need to be composed on the basis of available resource and the local context / requirements. Below are a few general considerations on the various stakeholders that could be part of a Complaints Board:

» Senior Management / Country Director. Assuming overall responsible for the operation, the Country Director has overall responsibility; if the Country Director is not the complaints body (Level 1) itself (for very small systems), then often he/she will constitute the appeals body (Level 2). Staff members, though, could have

direct access to complaint to HQ. One of the ambitions is to balances the desire of having an effective system that doesn't rely on senior management too extensively.

- Immediate manager to the complainant. For internal staff complaints, it is often the immediate manager who is the first entry point to complaints from his / her subordinates. Often with sensitive issues or complaints about his / her manager, agency staff members may wish to turn to senior management or even HQ.
- National staff. A system comprising of national staff members could be effective in dealing with large numbers of complaints. Often they have a better understanding of the context in the field, but may not have the necessary information and authority to deal with more technical issues, or to decide on the remedy. Another issue is that national staff may be the subject of the complaint. Finally, confidentiality could be an issue on very sensitive issues.
- Beneficiary representatives. Often a very legitimate and trusted stakeholder (in the eyes of the beneficiaries) and may also contribute positively to transparency. Beneficiary representatives, though, may not have the authority, knowledge and sometimes realism on the types of remedy available. In some contexts, the beneficiary representatives may not in fact be equally representative of all the beneficiaries or affected populations.
- Authorities. In some contexts, authority representation could strengthen the possibility to use the CM actively as an advocacy tool, especially if complaints are related to the legislative framework. Access for authorities, and hence to information about beneficiary concerns / complaints, could be positive. Yet in some cases, involving authorities could jeopardise the protection of some groups. For the CM, a means of ensuring transparency and involvement of authorities is another positive aspect. One more option is to call in an authority representative when relevant complaints are being processed.
- Donor or Partner NGO. As an external and unbiased stakeholder who is independent from the event, the donor or NGO partner representatives could contribute to the legitimacy of the decisions. Donor representation could facilitate more flexibility in terms of possible remedy as some decisions could call upon the re-allocation of funds (or the allocation of more).

The obvious conclusion from considering the characteristics of the stakeholders is that a combination is needed to respect the necessary requirements indicated in Output 4 stating that complaints are processed by a competent body guided by transparency, confidentiality and impartiality. At the same time, too complex a set up / composition may challenge the effort to ensure, for example, the integrity and impartiality of the Complaints Boards.

- The system needs to be legitimate in the eyes of the user. To facilitate this, there often needs to be an appeals option. Furthermore, persons who are potentially subject of the complaint or having a personal interest / bias should never be dealing with or deciding on the complaint.
- The Complaints Board needs to hold the necessary competences to process the complaint (e.g. to be able to call upon technical issues).
- The system (including the appeals board) needs to have the power to decide, for example, on the appropriate remedy and to say who is right and who is wrong.

It is almost impossible to set up a system which accommodates all complaints perfectly. The complexity of the many types of complaints that such a system needs to be able to process is a reason why it is worth reviewing the number of acceptable complaints and of the stakeholders granted access to use the system. The integrity of the system should under no circumstances be compromised, especially if the system is designed to address sensitive complaints.

Aspects of sensitivity

A core requirement when talking about the competency of the Complaints Handling System refers to aspects of sensitivity and the ability of the CM to protect its users. This aspect deserves particular attention since an improperly designed and managed CM has the potential to endanger those it supposes to benefit and protect. For this reason, it is important to be aware about the potential risks that the user may take when using the CM.

This is especially the case when working in contexts where the safety of the individual is at stake, and / or when the safety of the individuals or the group rests on the fact that the subject of their complaint remains unknown to external parties. Disrespect for the basic confidentiality of the complainant could result in sensitive information being leaked, leading to a deterioration in the complainant's situation. An example is that of a rape victim, who, if widely known as having been raped, could cast a shade over her family and jeopardise her ability to marry.

If the complainant is uncertain about the system and its ability to respect confidentiality, the system will obviously not be used. For this reason, it is important in the information campaign (see Step 10) to state the agency's commitment to confidential processing of complaints by providing a description of the procedure including who the members of the Complaints Boards are. The worst case scenarios are of course situations where the complainant has trusted the agency with their sensitive complaint, and the system does not comply with its own internal procedures and sensitive information is consequently leaked.

It is the responsibility of the agency to consider these aspects and ensure protection, no matter who is using the CM. These problems can be solved by carefully ana-

lysing how the complaints are solicited and handled, but serve as well to highlight the importance of ensuring a sound and carefully considered CM. It is always the user who decides if an issue is sensitive or not. Though seemingly non-confidential to the agency, individual or personal circumstance may make the issue sensitive for the complainant.

In many instances, the CM does not accept sensitive complaints and it is worth considering whether the CM should allow submission of sensitive complaints if it is not certain whether the system can provide the necessary protection. These types of violations often constitute the most extreme forms of accountability breaches and need the attention that a properly set up and managed CM can offer.

In terms of the difference between investigating sensitive and non-sensitive complaints, please refer to Step 8.

2. Multiple levels within the Complaints Handling System

Having considered the qualification of different kinds of stakeholders and how they contribute to the transparency, confidentiality and impartiality of the Complaints Boards, the issues of the differing types of complaints and complainant still remain.

Complainants. In the discussion generated from Step 3, a number of different types of users (beneficiaries, potential beneficiaries, staff etc.) was identified. While it may give sense for one group to direct their complaints to one type of system (e.g. complaints boxes in the field), others may wish to complain in a different way (e.g. staff members going directly to the Country Director).

Complaints. While the complainants can be different, so can the complaints. From the exercise in Tool 4C, complaints were divided into the sensitive and non-sensitive. While one Complaints Board consisting of, for instance, a national staff member, may be qualified to deal with one type of complaint (non-sensitive ones), other types of complaints may need to be addressed by senior management to ensure the proper protection of the complainant.

In some contexts, one single Complaints Board is adequate to deal with and decide on the incoming complaint, and in many programmes the Country Director is the only formal person dealing with complaints.

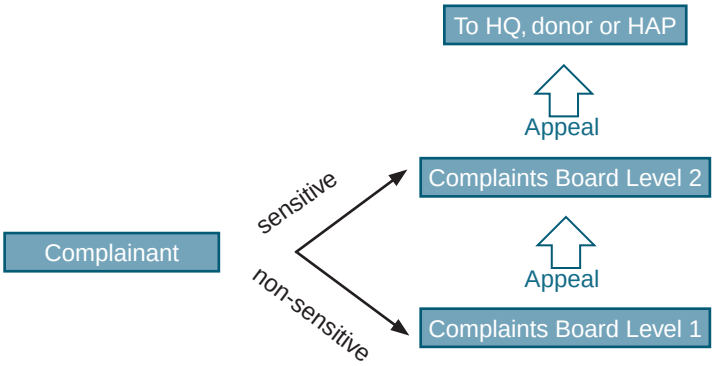
One of the main downsides of such a system is limited transparency and the inability to appeal decisions – in effect a dictatorial system, where everything is left with one person. More often, a combination of two or more systems is necessary to deal with the variety of complaints and complainants, but as well the large number of complaints. See Figure 2.

The standard Complaints Handling System constitutes a two-level complaints body.

Level 1 is the main body with representation from, for example, agency staff members, beneficiary representatives and a third, external party. The main body deals with an expected 80-90% of the total number of complaints, comprised of all the non-sensitive issues from beneficiaries, potential beneficiaries and host communities.

The secondary body (level 2) will consist, for example, of a Country Director and potentially one expatriate staff member. Users of the CM can turn directly to this level with sensitive issues, or if the user have substantial reasons to question the competence or integrity of the first level Complaints Board in dealing with their complaint.

Figure 2.



Such would often (but not exclusively) be complaints about agency staff, misuse of funds, abuse of power, activity that generates security problems in the community and these more complex types of issue. To other users of the CM, it may only be sensible to direct their complaints directly to the top management. This could be the case for local authorities, partner organisations etc.

Based on this composition, the incoming complaints and complainants are indicated in the table over the page, including appeals possibilities. This, though, is only an example that needs to be adapted to the local context.

In addition to ensuring the principles of transparency, confidentiality and impartiality primarily to the agency's beneficiaries, the system should allow for the complainant to bypass the main body with sensitive complaints as indicated in Figure 2 and Table 1. As also indicated, legitimacy is facilitated by ensuring a possibility for appeal if the complainant can give grounds for the complaints body being unqualified or biased with regard to their specific complaint, or within a set of criteria that allows complaints to go directly to the secondary Complaints Board (level 2).

Table 1.

		Type of complaint		Appeals body
		Non-sensitive	Sensitive	
Complainant	Beneficiaries	Main Body	Secondary body	Secondary body
	Potential beneficiaries	Main Body	Secondary body	Secondary body
	Host community	Main Body	Secondary body	Secondary body
	Agency Staff	Immediate manager	Secondary body/ HQ	Secondary body/ HQ
	Partners, authorities	Secondary body	Secondary body/ HQ	Secondary body/ HQ

It is important to stress, though, that other compositions of complaints bodies and structures of the Complaints Handling Systems may fit better to the specific context. Based on the input provided in this Tool, you should design your own Complaints Handling System. The format to be used is found in Annex 5D. For suggested action to be undertaken, please turn to Step 4 in the Step by Step section.

CHAPTER 4E - TOOL BOX
SUGGESTED INDICATORS, MOV AND ACTIVITIES

The following four tables provide inspiration for the decelopment of your own CM LFA based on the four outputs.

- Tool 4 E-1 Output 1 - The procedure, purpose and parameters of the CM have been communicated and made available to the relevant stakeholders.
- Tool 4E-2 Output 2 - Intended users have safe and easy access to use the CM.
- Tool 4E-3 Output 3 - Logical and easily-understood procedures developed for submission, processing and response / redress of complaints
- Tool 4E-4 Output 4 - Complaints are processed by a competent body guided by transparency, confidentiality and impartiality

Tool 4E-1 Output 1 - Suggested indicators for an extensive and small CM

Output 1:The procedure, purpose and parameters of the CM have been communicated and made available to the relevant stakeholders.			
Aspects to be reflected in the indicators	**Possible Indicator**	**Activites**	**Means / Sources of verification**
• Procedure, purpose and parameters. (To be defined and described.) • Communicated (and understood). (Proactive steps must be taken to explain directly to relevant stakeholders and ensure that the message has been understood.) • Availability (Procedure, purpose and parameters made available to relevant stakeholders to seek additional information.) • Relevant stakeholders (To be defined, but must at least include beneficiaries and agency staff.) • Participation and consultation with beneficiaries.	• Procedure, purpose and parameters of the CM are published in English and Arabic at all offices and CM boxes. • Introductory meetings are held every three month presenting and explaining the CM. • Agency partners and donors have been informed about the CM. • Workshops have been undertaken for agency staff to develop the procedure, purpose and parameters of the CM. • 80% of agency beneficiaries are aware about the access to complain. • 80% of the village leaders / intended users understand the procedure for submission, processing and response / redress of complaints. • Community leaders have been consulted on appropriate means of communication related to procedure, purpose and parameters of the CM.	• Dissemination of pamphlets and other information material introducing and explaining the CM. • Setting up a website. • Arranging workshops, training, information meetings etc. • Employing an information manager. • Questionnaires. • Meetings with relevant stakeholders regarding means of communication.	• Material produced. • Attendance sheets (training and workshops). • Employment records. • Vouchers.

Tool 4E-2 Output 2 - Suggested indicators for an extensive and small CM

Output 2: Intended users have safe and easy access to use the CM.			
Aspects to be reflected in the indicators	**Possible Indicator**	**Activites**	**Means / Sources of verification**
• Intended users. (To be defined, but including beneficiaries and potential beneficiaries at the very least.) • Safe access (user perceived). • Easy access (user perceived). • Participation and consultation with beneficiaries.	• One session has been held with representative(s) from each beneficiary community to identify optimal locations of the complaints office(s). • Beneficiaries have been consulted in the appropriate means of complaining. • Beneficiaries have max 3 km / 1 hour walking to nearest CM box / office. • Intended users report satisfaction with the location of the complaint boxes.	• Meeting with relevant stakeholder(s) to discuss locations. • Interviewing beneficiaries.	• Minutes of meetings. • Maps / grids. • Survey reports. • Questionnaires.

Tool 4E-3 Output 3 -Suggested indicators for an extensive and small CM

Output 3: Logical and easily-understood procedures developed for submission, processing and response / redress of complaints.			
Aspects to be reflected in the indicators	**Possible Indicator**	**Activites**	**Means / Sources of verification**
• Logical and easily-understood procedures. (User and DRC staff perceived.) On: • Submission. (How and where, in writing.) • Processing. (Steps that the complaints go through from submission to response – including appeals options.) • Response / redress. (What can DRC provide as answer or compensation, how is it provided etc.) • Participation and consultation with beneficiaries.	• 10% of users misunderstood the procedure related to submission, processing and response / redress of complaints. • 90% of the users find the means of submitting complaints appropriate. • 90% of the users condone the procedure of providing response / redress to their complaints. • 90% of the users find the complaints process appropriate. • Community leaders / beneficiary representatives have been consulted on procedures around handling submission, processing and response / redress to complain.	• Interviews, consultation meetings. • Statistics of procedural mistakes. • Setting up of a database. • A ToR is developed describing the procedure.	• Reports. • Degree of misunderstanding related to procedure. • Statistics. • Questionnaires

Tool 4E-4 Output 4 - Suggested indicators for an extensive and small CM

Output 4: Complaints are processed by a competent body guided by transparency, confidentiality and impartiality			
Aspects to be reflected in the indicators	**Possible Indicator**	**Activites**	**Means / Sources of verification**
• Competent body. (NGO and user perceived – they have authority to act, no field staff members in the appeals board.) • Guided by transparency. (Access to see reasoning behind the decisions taken). • Guided by confidentiality. (Especially when dealing with sensitive complaints.) • Guided by impartiality. (Decisions taken are founded on objective and beneficiary-known parameters and grounds.) • Participation and consultation with beneficiaries.	• Beneficiary representative is a member of the complaints board. • The complaints and appeals board have the necessary authority to decide and act. • Staff and sensitive complaints directed directly to Country Director, to HQ or immediate expatriate. • Beneficiaries have accepted the make-up of the complaints and appeals board. • The CM processing system is developed to keep names and sensitive information confidential. • Beneficiaries have access to read decisions of the complaints and appeals board (where the name of the complainant has been removed). • All decisions taken by the complaints and appeals board are filed / computerised including reasoning / grounds.	• Meetings / hearings. • Establishing a database of complaints. • Mapping possible complaints as a means to identify appropriate persons to be on the appeals board.	• Minutes of meetings. • Statistics from the database

CHAPTER 4F - TOOL BOX
INTERNAL PRESENTATION MATERIAL OF CM

The PowerPoint Presentation of Tool 4G constitutes an easy introduction to the main aspects of setting up a CM. The presentation has been made on the basis Reference 2A.

The presentation consists of 24 slides split into five main sections.

- 1. Introductory Exercise (3 slides). A brief exercise where all the participants act as a means to facilitate a common point of departure and where all assume the point of view of the complainant.
- 2. Benefits of a CM (7 slides). A closer examination of some of the positive aspects and benefits of setting up a CM and allowing people to voice their complaints.
- 3. Minimum Requirements (4 slides). Introduces the difference between a CM and the daily informal communication between beneficiaries and agency, and presents the mandatory requirements that consist of a standard and four outputs.
- 4. General Characteristics (6 slides). Presents five basic steps from when the complaint has been submitted to after the response / remedy stage, and lists some of the main necessary considerations when setting up and running a CM.
- 5. Three Types of CM (1 slide). Three different types of CM are described to indicate to the participants the variety of types of CM, based on the operational context.

Below, please find the references relevant for each slide where more information can be found. Based on the level of information and knowledge, the presentation may be too extensive. Slides can easily be removed from the presentation.

Introduction

- 1st Slide - Introduction
  - Introduction 1A - General considerations related to CMs.
  - 3A Step 1 - The importance of ensuring commitment from staff and beneficiaries / users of the CM.

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1. Introductory exercise

» 2nd Slide - Why did you not complain?

- Tool 4A Introduces the exercise in detail.

» 3rd Slide - Reasons why we do not complain (categories of reasons).

- Tool 4A Introduces the exercise in detail.

» 4th Slide - Reasons why we do not complain (concrete reasons).

- Tool 4A Concrete suggestions on conclusions to reach.

2. Benefits of a CM

» 5th Slide - Why would we want people to complain? Introduction.

- Reference 2A, 2 All the bullet points are presented separately below.
- Introduction 1A Talk about and explain accountability as a desire to establish a forum for communication an decrease the distance between agency and user / beneficiary.

» 6th Slide - CM as a mechanism to strengthen the dignity of the user.

- Reference 2A, 2.1 Describing this aspect of the CM in more detail.

» 7th Slide - CM constitutes a separate project component.

- Reference 2A, 2.2 Describing this aspect of the CM in more detail.

» 8th Slide - CM as an early warning indicator.

- Reference 2A, 2.3 Describing this aspect of the CM in more detail.

» 9th Slide - CM as seen from a cost-benefit perspective.

- Reference 2A, 2.4 Describing this aspect of the CM in more detail.

» 10th Slide - CM complementing impact monitoring.

- Reference 2A, 2.5 Describing this aspect of the CM in more detail.

» 11th Slide - Statistics and documentation

- Reference 2A, 2.6 Describing this aspect of the CM in more detail.

» 12th Slide - What are the risks of a CM.

- Reference 2A, 3

3. Minimum requirements

» 13th Slide - Everybody has a CM!

- Reference 2A, 2 The figure is explained in more detail.
- Reference 2A, 5 Describing why the CM needs to build on existing structures and initiatives.

» 14th Slide - Why are minimum requirements necessary?

- Reference 2A, 1
- Tool 2B More general and elaborate considerations on the need for minimum requirements.

» 15th Slide - The CM standard

- Reference 2A, 1 Having read 2A in full, the comments on the slide related to the standard should make sense. See as well the links to slides 16-21.
- Tool 2B

» 16th Slide - The CM outputs

- Tool 2B

4.General characteristics of a CM

» 17th Slide - Introduction to the general characteristics

- Reference 2A 3.1-3.5

» 18th Slide - Step 1 – Internal capacity analysis and considering the scope of the CM.

- Reference 2A, 3.1 Issues worth considering are bulleted.
- 3A Step 2 (parameters and scope of the CM).

» 19th Slide - Step 2 – Filing a Complaint

- Reference 2A, 3.2 Issues worth considering are bulleted.
- 3A Step 5 (Agency-staff interface) and Step 7 (Information management).

» 20th Slide - Step 3 – Processing a complaint

- Reference 2A, 3.3 Issues worth considering are bulleted.
- 3A Step 4 (Setting up a complaints handling system) and Step 6A (Processing a complaint)

» 21st Slide - Step 4 – Redress / response to a complaint

- Reference 2A, 3.4 Issues worth considering are bulleted.

- 3A Step 6 (Responding to complaints) and Step 7 (Information campaign)

» 22nd Slide - Step 5 – Learning from a complaint

- Reference 2A, 3.5 Issues worth considering are bulleted.

5.Three different types of CM

» 23rd Slide - Three different types of CMs?

- Reference 2A, 5 The three different types and their characteristics are described in detail.

Conclusion

» 24th Slide - Conclusion and final remarks.

- Suggestions for final remarks:
- To express concern over the risk of not being able to control the programme when opening for complaints. Talk about the importance of "keeping things simple and starting out with minor areas of the programme".
- To talk under the heading: "What are the commitments of the agency (e.g. to the Code of Conduct) worth if we are not prepared to be held accountable to them?"
- The next step for the agency to establish a CM!

CHAPTER 4G - TOOL BOX
POWERPOINT PRESENTATION OF CM

In electronic version only

CHAPTER 5
ANNEXES / TEMPLATES

Annexes / Templates

- 5A Choosing sectors for the complaints mechanism
- 5B Mapping complaints
- 5C Who will have access to complain?
- 5D User and appeals matrix
- 5E User entry points to complain
- 5F Complaints form
- 5G Means of communication as per potential user
- 5H What to communicate to user
- 5I Developing a LFA

ANNEX 5A – Choosing Sectors for the CM

Annex linked to Tool 4B			
Activities / Project Components	**Relevance**	**Control**	**Conclusion**
Distribution of temporary shelter in Village A.	*1. Poor quality material.* *2. Wrong selection criteria.* *3. Preferential treatment of specific groups by agency staff.* *4. etc*	*Discuss the point by focusing on which problems and solutions (in terms of redress and/or response) available when addressing concrete challenges.*	*Important issues to consider while setting up of the CM.*
School construction in village B.			

ANNEX 5B – Mapping Complaints

Annex linked to Tool 4C - In the electronic copies, the Annex is found in Excel allowing filtering the data e.g. based on Complainants or Relevance!

Complaint	Complainant	Relevance	Remedy	Sensitivity	Comments
What is the concrete complaint (word it!)	Who is filing the complaint, based on the categorises of complainants	Is the complaint relevant in the sense that the agency will and can influence this issue. (Yes or no)!	Which response or remedy is the agency able to offer, and whether this will be accepted by the complainant.	Is the complaint sensitive.	(Important issues to consider while setting up of the CM.)
Why am I not on the distribution list	*Beneficiary*	*Yes*	*Offered to be put on the distribution list for next round.*	*Not sensitive*	
Why am I not on the distribution list	*Potential beneficiary*	*Yes*	*Explain selection criteria. No compensation.*	*Not sensitive*	
Your food distribution is undermining my business	*Local business man*	*Yes*		*Could be sensitive*	
Received wrong tools kit	*Beneficiary from other NGO*	*No*	*Refer to relevant NGO*		

ANNEX 5C – Who has Access to Complain

Annex linked to Step 3			
User/ Complainant	**Positive reasons for access to complaint**	**Negative reasons for access to complain**	**Result**
List the different potential users	*List the reasons why this stakeholder should be allowed to complain and use the agency's CM.*	*List the reasons why this stakeholder should NOT be allowed to complain and use the agency's CM.*	*Result. State "accepted" or "rejected".*
Direct beneficiary			
Potential beneficiary			
Host Community			
Agency staff			
Other stakeholders			

ANNEX 5D – User and Appeals Matrix

Annex linked to Tool 4D
Exercise – Based on your analysis, register the user of the CM, the bodies to deal with their complaints and the appeal bodes.

		Type of complaint		Appeals body
		Non-sensitive	Sensitive	
complainant (user)				

ANNEX 5E – User entry points analysis

Exercise

1. Each group focuses on one type of user only (beneficiaries, host community, agency staff members etc.). Write the complainant group in the designated cell.
2. Based on the considerations already made during Step 2 and Step 4, potential entry points are listed in the left column.
3. The strengths and weaknesses for each entry point for the users are analysed.
4. Specific issues needing special attention (e.g. in terms of how the entry points is designed or located) is mentioned in the comments section.

		Complainant:		
		Strengths	**Weakensses**	**Comments**
Type of entry point				

ANNEX 5F - COMPLAINTS FORM

AGENCY COMPLAINTS FORM	No:
1. COMPLAINT / USER - to be filled in by complainant	
Name	
Address	
Other relevant information necessary to ID user / complainant	
2. COMPLAINT - to be filled in by complainant	
Type of complaint: (Often it can be relevant to categorise complaints based on the substances, sector, district, user etc) ☐ Shelter Assistance ☐ Income Generation ☐ Social Community Project ☐ Other	
Description of complaint: (please annex additional paper or drawing if requested)	
Describe your expected outcome / response: (please annex additional paper or drawing if requested)	
3. SIGNATURE -to be signed by complainant	
By signing and submitting this complaint, I accept the procedure by which the complaint will be processed and the composition of the complaints board dealing with this complaint. I have been informed of the terms for appeal.	
Date:	Complainant
4. RESPONSE AND APPEAL - to be filled by the agency	
Response / remedy to the complaint: (please annex additional paper if requested)	
Response / remedy was: ☐ Accepted ☐ Not accepted ☐ Not appealed ☐ Appealed to: _____	
Date:	Complainant: Agency:
5. RECEIPT - to be filled by the agency, and cut off and given to complainant	
Complaint number: (Unique, same and registered on the upper-right side of the paper)	
Expected date of response:	Place to receive response:
Agency Signature:	Date:

ANNEX 5G – Means of Communication per Potential User

Exercise (If the table is too small, use a blank page for each type of potential user.)

1. In the left column all the accepted users are listed. Consider only the national ones and focus mainly on beneficiaries.
2. At the top of the table, list the entry points, as identified in Step 5 (Annex 5E)
3. Based on discussions within the group around the local context, list the best / realistic means of communicating. These include both written means (internet, posters, pamphlets) and verbal (meetings or workshops, face-to-face, radio), but it is important to consider how such information is communicated. The suggestions need to ensure that the information is both made available and is communicated.
4. Specific issues needing special attention (e.g. if a certain group is difficult to reach by the identified complaints entry points) is mentioned under comments.

		Entry Point	**Entry Point**	**Entry Point:**	**Entry Point**	**Comments**
Potential users	**Beneficiaries**					
	Potential user					
	Potential user					
	Potential user					
	Potential user					
	Potential user					

ANNEX 5H – What to Communicate to the Use

Making a communication plan is an extensive task, and even once finished, the plan is something that needs to be revised and updated continuously. In this group session, it is valuable to have guidance from the group on what is relevant to include in this specific context (a final formulation of the context of an information campaign would be too comprehensive).

Exercise

1. The list of points relevant to communicate to potential users is of a general character. Inspired by this, make a new list adapted to your local context - what is important to inform about with regard to the 1) Agency, 2) the project and 3) the CM. Many of the issues to be communicated are related to the issues already addressed and decided in the former Steps of section 3A. Please follow these decisions carefully.

2. Please use the same three headlines on a blank piece of paper and bullet point the issues based on the discussion in the group.

3. Results should be presented in plenum.

» Presentation, Agency

- Presentation of the organisation.
- Presentation of the principles, standards, assistance frameworks, codes incl. those applicable to staff, accountability etc. to which the organisation commits – or are prepared to be held accountable to. (Supported and inspired by Annex 5B and Reference 2A Chapter 3.1)
- Brief presentation of the CM (based on the purposes and values identified under Step 1) and stating the fact that the agency invites complaints and that beneficiaries and other identified groups have the right to complain.

» Presentation, Project

- Presentation of the project and objective, selection / vulnerability criteria, approach and stages of beneficiary involvement, description of assistance or services offered (e.g. supported by pictures), funds and resources allocated and donor, partners, etc.

This part should enable the beneficiary in detail to know what to expect, terms for receiving and as a basis to consider whether he wishes to be part of the project. It will enable the potential complainant to present his concerns prior to initiation of the project and complain if deviation is detected. As priorities, approach or else are changed during implementation, the information communicated is updated. It is important to highlight that such changes can

occur. Most of this should be reflected in the donor application, but translated into a concrete output terminology

» Presentation, CM

- Why. Explaining the purpose of the CM (e.g. related to accountability, improving the system by learning from past mistakes or to ensure optimal usage of resources – see Step 1)
- What. Explaining in detail what it is possible to complain about (Step 2) as well as possible remedies on offer (incl. limitations!). This should be as concrete as/if possible (see Step 9) - both in terms of what is provided, and how (beneficiary involvement, consultation etc!). The scope of the CM has already been identified under Step 2.
- Who is allowed to complain?
- How, where and when. Procedures (incl. how, where and when to complain and receive response / remedy (e.g. explained in a simple figure), the Complaint Handling System incl. the composition of the complaints board (and maybe how it is chosen), how the complaint is processed and appeals possibility, etc). In Step 4, you defined sensitive and non-sensitive complaints. This should be reflected as well in order for the users to know to which complaints handling board the issues should be addressed.
- The policy of non-retaliation against and confidentiality towards the complainant. Please note that in order to comply with HAP Benchmark 5.2e (see Reference 2C), the agency is required to formulate a “confidentiality and non-retaliation policy for complainants”. In principle, it is sufficient to commit to these principles and to communicate this commitment to the user population.

ANNEX 5I – Developing an LFA

Agency objectives for establishing a Complaints Mechanism:
1. xxxxx
2. xxxxx
3.

	CM standard to be achieved	Indicators	Means / source of verification
	Simple procedures and mechanisms give potential and intended beneficiaries access to a safe means of voicing complaints on areas relevant and within the control of the agency.	(Discuss the point by focusing on which problems and solutions (in terms of redress and/or response) available when addressing concrete challenges.)	(Important issues to consider while setting up of the CM.)
	Outputs to be achieved	**Indicators**	**Means / source of verification**
1	The procedure, purpose and parameters of the CM have been communicated and made available to relevant stakeholders.		
2	Intended users have both safe and easy access to use the CM.		
3	Logical and easily-understood procedures developed for submission, processing and response / redress of complaints		

4	Complaints are processed by an independent and competent body guided by transparency, confidentiality and impartiality.		
	Action points / Activities	**Inputs / resources**	**Assumptions**
1			
2			
3			
4			