

Complaints & Whistle blower Procedure COC Netherlands

1. Introduction

COC Netherlands is committed to operating in an ethical and principled way. We believe that having an international mechanism for handling external complaints and concerns about possible wrong, dishonest or illegal activity, will allow the people we work with to use an avenue of redress in case of misconduct by COC, staff, collaborative partners and other stakeholders. COC will address complaints and concerns to enhance the trust and confidence of partners and stakeholders, and ensure that COC Netherlands learns from the feedback provided through this process. COC Netherlands therefore welcomes feedback and will react constructively to complaints and concerns about misconduct from the people it works with.

The Complaints & Whistle Blower Procedure links to the **Code of Good Conduct** and will ensure feedback, transparency and learning which will strengthen COC Netherlands accountability as an organisation. This Policy solely deals with external complaints. Internal issues and grievances made by staff are dealt with in discussion with line managers and in accordance with the Human Resources Manual.

Summary of Complaints & Whistle Blower Procedure

I. Complaints can be made directly to the Director of International Programmes verbally or can be sent in writing through email to complaints@coc.nl.

II. The Director of International Programmes will record your complaint. Complainants will receive a confirmation of receipt and an outline of the complaints & whistle blower procedure within 5 working days.

III. The Director of International Programmes will handle the complaint within 30 working days or, in complex matters, a longer period that will be communicated as such. The Executive Director (ED) will be informed of all complaints and is consulted on the handling thereof.

IV. The complainant will receive an outcome of their complaint within those 30

2. Definitions

For the purpose of this Policy, COC Netherlands defines a complaint as: *“an external grievance made against COC Netherlands, where the organisation has allegedly failed to uphold the Code of Good Conduct. That commitment might be related to COC’s activities, policies or staff conduct/behaviour.”*

A complaint may be made by a person to whom COC Netherlands delivers programs or support including a partner, a local organisation with which we work, or other NGOs and human rights defenders that take part in trainings, meetings or workshops.

Whistle blowing is defined as reporting instances of wrong, dishonest or illegal activity, like waste or losses, error, mismanagement or dishonesty that may harm individuals or our organisation. This may relate to people issues and/or business issues and it could involve stakeholders.

3. What Complaints Are Considered?

COC Netherlands will receive and respond to all complaints irrespective of the nature or subject of the complaint.

Some complaints are of a minor nature, which can be more easily and promptly resolved. Minor complaints that are readily resolved will not follow all the procedures outlined in the Complaints Handling Procedures in Section 6 of this Policy as to do so would be unnecessarily cumbersome, bureaucratic and compromise their timely resolution. Minor complaints might include a complaint that can be responded to in an initial call or a written complaint that proceeds on the basis of a misconception that can readily be corrected.

Complaints of a more complex and significant nature that require acknowledgement, initial assessment and investigation and may require remedial action (e.g. a change to the way in which we operate, train, counsel or discipline staff or volunteers or even the involvement of regulatory/enforcement authorities) **will be undertaken in line with the Complaints Handling Procedures in Section 6 of this Policy.**

If it is established that a complaint has been made maliciously, in bad faith or without serious intent then a response will be made to the complainant explaining why their complaint is not being taken further.

4. Principles

The following principles will guide COC Netherlands in the handling of complaints:

- We recognise the importance and value of listening and responding to concerns and complaints; The feedback and complaints handling process is as effective, safe, confidential and accessible to all stakeholders as possible, irrespective of their gender, status or background and without prejudice to their future participation;
- **Accessibility:** The complaints handling process is easily accessible to all stakeholders. There is readily accessible information about the process of making and resolving complaints in a range of formats so that no complainants are disadvantaged. COC Netherlands will ensure that flexibility is provided to complainants to ring, write and e-mail complaints and/or to raise concerns in person.
- **Objectivity:** All complaints are addressed in a fair and equitable, objective and unbiased manner throughout the complaints handling process. Issues of conflict of interest will be identified to ensure objectivity.
- **Confidentiality:** Confidentiality relating to the complaint will be safeguarded so far as reasonably practicable including the person(s) whom the complaint concerns.
- **Responsiveness:** All complaints and constructive feedback will be taken seriously and handled as swiftly as practicable. A response that the complaint has been received and an indication of the procedure will be given within 5 working days. All complainants will be treated courteously and kept updated on the progress of their complaint through the complaints-handling process.
- **Accountability:** Accountability for handling complaints and reporting on the actions and decisions of COC Netherlands with respect to complaints handling will be clearly established. If possible, complainants are requested to first address the direct contact person within COC, usually an International Project Manager. In case the issue cannot be resolved with the International Project Manager a complaint can be submitted to the Director of International Programmes.

- **Continuous improvement:** COC Netherlands is committed to the continual improvement of the complaints handling process and the quality of COC Netherlands' work. This commitment is supported by the collection and classification of complaints trends; analysis and reporting of complaints trends; monitoring of complaints handling processes; and reviews of the complaints handling process and refining of complaints handling in light of those reviews.
- **Organisational commitment to this policy:** COC Netherlands will ensure that sufficient resources and expertise are provided to handle complaints. International Project Managers, the Director of International Programmes and the Executive Director will be briefed on the nature and purpose of the policy and will be instructed in handling complaints.

5. Standards

COC's handling of complaints will meet the following minimum standards:

1. All complaints will be acknowledged within five working days by the recipient. All complainants will receive a copy of this policy.
2. All complainants will receive a response giving the outcome of their complaint as soon as possible and within thirty working days of receipt. If the matter is more complex a further acknowledgement will be sent explaining what further investigation is required to resolve the complaint and the likely timeframe.
3. All complaints are recorded in a Complaints Record.
4. All complainants will be treated respectfully, whether it is felt the complaint is justified or not.

6. Complaints Handling Procedure

This Policy will be implemented using the following procedures:

1. Raising Complaints with COC Netherlands

All COC's stakeholders must be clear that COC Netherlands welcomes complaints and constructive feedback and need to know how to raise a complaint with the organisation.

COC's Complaints Handling Policy, specifically highlighting the following central points for all complaints, is publicised on COC's website.

- General complaints about any aspect of COC Netherlands and its work should be sent through email to the Director of International Programmes through the e-mail address: complaints@coc.nl;

The Director of International Programmes has the responsibility to coordinate the complaint response and make sure that the Complaint Record Form (Appendix 1) is completed. The Executive Director of COC is informed about all complaints and consulted on their handling. Only the parties relevant to solving the complaint are involved.

2. Receiving Verbal and Written Complaints

The complainant will be treated with respect at all times. It is important that the person receiving a complaint clarifies the issues underlying the complaint, listens to what the complainant has to say and makes a brief and accurate written summary of the complaint. Where necessary, language interpreters may be required to help establish the nature of the complaint. If the complaint is

submitted in writing it might be appropriate to write or speak to the complainant to clarify the facts of the case.

3. Acknowledging Complaints

Complainants will receive an acknowledgement of their complaint within 5 working days to confirm that it has been received and will include an outline of the next steps. Complaints cannot be made anonymously, as in that case no one will receive acknowledgement of the complaint and they cannot be updated or heard further in regards to the complaint.

4. Registering Complaints

All complaints, whether verbal or written, are recorded on the Complaints Form.

Each complaint will also be recorded in a log, which will form the basis for review at the end of each year. These records will be used to ensure complaints are dealt with efficiently and effectively and to monitor any trends. It will provide information on the number and types of complaints COC is receiving.

5. Resolving Complaints (Investigation and Action)

Each complaint will be investigated.

The Director of International Programmes will:

- establish the facts and gather the relevant information; and
- if necessary and/or practicable, interview those involved.

If, because of the investigation, it is felt that there is a case to answer by the staff member, then the appropriate disciplinary and other organisational policies and procedures will be put in place. Any relevant law will also be followed and taken into account. The final decision to remedy the complaint and/ or to correct misconduct is taken by the Executive Director.

In case the complaint is about a criminal offense, COC will report the case to the Dutch police. This complaints & whistle blower procedure is not intended to replace or undermine existing legal and law enforcement mechanisms. Filing a complaint at COC does not prevent the complainant from seeking legal redress.

6. Responding to the Complainant

Complainants will receive a response outlining the outcome of the complaint or, if it is a complex matter, when the complainant will be informed that it will be investigated further and how long it is likely to take. COC Netherlands will let the complainant know the outcome, which may include:

- corrective action which has been taken;
- timeline for implementation; and/or
- the person/role addressing the issue.

Wherever possible COC Netherlands will invite the complainant to outline suggestions for actions the organisation can take to ensure similar complaints do not arise in future.

7. The Role of the Executive Director

The Executive Director has an important role to play in overseeing the number and nature of complaints received by COC Netherlands and ensuring that they have been handled satisfactorily, that appropriate corrective action has been implemented and that trends are identified and

addressed. The Executive Director will endorse the completed Complaints Handling Log and any supporting analysis on an annual basis.

In handling difficult complaints and complicated issues, the HR manager of COC will be consulted for advice how to best respond to the complaint.

8. Reporting to the Central Bureau on Fundraising

COC is a recognized charity by the Central Bureau on Fundraising (CBF). CBF is an independent foundation, which monitors fundraising by charities. The CBF's task is to promote trustworthy fundraising and expenditure by reviewing fundraising organizations and giving information and advice to government institutions and the public. As per the rules and regulations of CBF, COC will report cases of serious misconduct and integrity violations to CBF.

9. Appeals Process via the independent, external complaints committee

If a complainant is unhappy about the response received from COC Netherlands or if they believe the corrective action has not been adequately implemented they may appeal to the independent, external complaints committee via: klachtencommissie@coc.nl

To guarantee the independence of the complaints committee the members have no other active role within or engagement with COC.

The complaints committee will assess whether COC has followed the complaints & whistle blower procedure correctly and adequately and give advice.

10. Briefing and Induction for Staff

As part of implementing the policy and procedure, all staff will receive a briefing on the benefits and purpose of the policy. This will take place via a staff meeting and follow up team meetings. The policy will be available for all staff on a nominated share drive and a shortened version is placed on COC's website. Information about the policy will be part of the induction process for all new staff members of the international team of COC.

7. Monitoring and Review of Policy and Procedure

This policy will be monitored and reviewed. The Director of International Programmes is accountable to the Executive Director for managing and maintaining this policy. The Director of International Programmes is accountable for ensuring that their functional team understands and adheres to this policy in their day-to-day work. Where compliance issues are surfaced, Management will work with team members to address these issues promptly.

Any updates/revisions to the policy must be endorsed by the Executive Director, Management Team and Works Council before their approval. As part of the annual review and reflection process, COC Netherlands staff will reflect on the learnings from the complaints and constructive feedback they have received. A key input into this annual review process will be the completed and anonymized Complaints Log.