

INTRODUCTION

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

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

GUIDING PRINCIPLES

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

1. DEFINITION OF A COMPLAINT

1.1 What is a complaint?

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

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

A complaint is NOT:

- A general inquiry about iLECTRIC work
- A request for information
- A contractual dispute

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

1.2 Types of Complaints

iLECTRIC categorizes complaints into 2 categories:

a. Operational Complaints

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

- Issues of entitlements and commitments not met,
- The quality of the service or program delivery,
- How a service has been managed, which directly affects the communities iLECTRIC works with.

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

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

b. Serious Complaints

A serious complaint is related to breach of the Codes of Conduct and if a complaint is an allegation or suspicion of any of these:

- A concern about the behavior of staff
- Physical and psychological abuse
- Sexual exploitation and abuse (including gender-based violence)
- Child abuse/exploitation
- Fraud and corruption
- Criminal offence

This kind of serious complaints should be investigated as a formal complaint. In a situation where a person discloses such allegations, it must be reported immediately through established mechanism even if the person does not want to make a complaint. All serious complaints must be reported by the management representative officer.

1.3 Anonymous Complaints

An anonymous complaint refers to a complaint that is lodged without revealing the identity of the complainant. iLECTRIC strongly encourages individuals making complaints to disclose their identity so that a proper and thorough investigation can proceed. Anonymous complaints are difficult to deal with because their investigation is always dependent upon limited and questionable information. However, iLECTRIC shall consider receiving anonymous complaints. Without this option, it is possible that some serious problems may not come to light.

1.4 Malicious Complaints

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

1.5 Complaints that cannot be dealt with by this policy

The complaints mechanism and procedures do not apply to complaints that are subject to current investigation by any regulatory body or legal or official authorities.

2. RESPONSIBILITIES IN HANDLING COMPLAINTS

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

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

3 HOW TO COMPLAIN

3.1 A complaint could be raised by:

- an individual or community with whom iLECTRIC works
- a partner organization
- a staff of iLECTRIC

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

- In person** (all levels)
- Through a trusted intermediary**
- A complaints box**
- e-mail message** to an assigned confidential e-mail

3.3 Time limit for making a Complaint

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

4 STEPS IN PROCESSING COMPLAINTS

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

4.1 Providing written acknowledgement to the Complainant

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

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

4.2 Adhering to Confidentiality

Confidentiality should be maintained, so that only the staffs who are handling the complaint are aware of the complaint and the information surrounding the complaint.

4.3 Identifying Risks and Providing Protection

At the initial contact with the complainant, the iLECTRIC focal person should find out whether the complainant or anyone else is immediately or potentially at risk.

4.4 Taking Action

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

4.5 Deciding whether to investigate and or channeling as appropriate

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

- Is there a complaint? The complaint must be a genuine concern of the complainant, and is raised in good faith, and is not motivated with the intent for personal gain, personal interest of a grudge.
- Does the complaint relate to a breach of Code of Conduct on Sexual Exploitation and Abuse of Power, or violation of any of the iLECTRIC policies and guidelines?
- Is there sufficient information and evidence or is there a need to further investigate?
- At this point, is the allegation conclusive enough to take management action?

4.6 Informing the Complainant about the Investigation Outcome

The outcome of the investigation will be communicated to the Complainant, where possible within 30 days after the acknowledgement of the complaint.

4.8 Appeal Process

If the Complainant or the Subject of the Complaint is not satisfied on the resolution of the complaint, he/she may lodge an appeal within 30 days upon receipt of the decision. The iLECTRIC Representative and the Complaints Handling Committee shall analyze the reasons given and any other new evidence to make a decision whether or not to conduct a new investigation. The appeal shall be considered only once.

4.9 Time Allotment on Respective Actions

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

Action	Time Allotment
Complaint Received	Incident should be reported soonest but can be brought up within 6 months of incident
Acknowledgement of Complaint Received	Within 2 days
Resolution on Operational Complaints	Decision within 7 days
For Complaints needing further investigation	Actual investigation ideally in 7 days though may vary depending on the nature and complexity of complaint Maximum 21 days
Resolution of a complaint undergoing investigation	Maximum 30 days of receipt of complaint
Appeal process	Within 30 days of decision

5. INVESTIGATING A COMPLAINT

If the complaint is to be further investigated, the investigation guidelines in Appendix 6 must be followed. Operational complaints not needing a formal investigation will go through the normal process of action and decision making by the Representative in consultation with the Country Program management team.

6. COMPLAINTS ABOUT iLECTRIC ASSOCIATE PARTNERS

6.1 Complaints about iLECTRIC Associate Partners

Complaints about iLECTRIC Associate Partners must be referred to the respective organization. iLECTRIC is unable to investigate or respond to such complaints and this should be explained to the complainant.

6.2 Redirecting complaints

If the iLECTRIC receives a written complaint about an Associate Partners, it must seek the permission of the complainant before passing the complaint on to the Associate Partners for investigation and response.

7. CONFIDENTIALITY

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

8. MONITORING AND EVALUATING THE COMPLAINTS

MECHANISM

8.1 The use and relevance of the complaints mechanism shall be monitored. The iLECTRIC Program Officer for Quality Assurance and Accountability will be responsible for monitoring the iLECTRIC Complaints Mechanism in coordination with the focal point person.

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

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

Appendix 1 Definition of Key Terms

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

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

Corruption is the “offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the action of any person”

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

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

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

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

Sexual exploitation means any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, sexually or politically from the sexual exploitation of another (UN SG Bulletin, 2003).

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

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

Witness is someone who has firsthand knowledge about a crime or dramatic event through seeing, hearing, smelling, or touching and can help certify important considerations to the crime or event. It is important to remember that a Subject of Complaint is treated as a witness until proven to have committed a breach of conduct or a crime.

Appendix 2 Flowchart for Complaints Handling

Appendix 3 WHAT A COMPLAINTS MECHANISM ENTAILS

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

Characteristics of an Effective Complaints Mechanism*

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

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

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

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

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

Verifiability - to ensure that the information is reliable.

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

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

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

Appendix 4 CONFIDENTIAL iLECTRIC Complaint Form

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

File Number: _____

A: General data

- Name of the person lodging the complaint _____ Sex _____ Age _____
- Address: _____
- Tel: _____ email: _____
- Name of the person you wish to lodge a complaint against (if known): _____
- Date of incident _____ Time of incident _____
- Place _____ of incident _____
- Date of reporting _____ Time of reporting _____

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

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

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

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

Name and Signature of Complainant: _____

Date: _____

Case referred to: _____

Date referred: _____

Name and signature of iLECTRIC Staff responding to the Complaints:

Appendix 5 WHERE TO SEND YOUR COMPLAINTS

Hotlines and e-mails

Communication to:

- Ms Cholthakarn Rukkue – Quality Assurance and Accountability – FOCAL POINT
(+66 81 911 5339) – info@ilectric.co.th