

Bakultali Mahila Sangshad (BMS)

COMPLAINTS & RESPONSE POLICY



Bakultali Mahila Sangshad (BMS)

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1.INTRODUCTION :- To improve accountability, Bakultali Mahila Sangshad (BMS) is committed to implement a Complaints Response Policy (CRP) in our programmes to enable individuals and organizations to raise complaints and give feedback on our work. The system also enables BMS staff to report on incidents.

A CRP describes all steps and processes for BMS to ensure that an effective complaints handling system is in place, so that all stakeholders have an appropriate means of lodging a complaint, that subsequent complaints can be addressed in a professional and effective way, from receipt through to the investigation and follow-up stage.

The benefit for BMS in receiving complaints is primarily to get input to programs and projects, which will improve the quality of our work, increase the likelihood for success in our long-term and humanitarian work, and reduce the potential for inefficient or misuse of the resources entrusted to us.

2. OBJECTIVES :-

The purpose of this policy is to:

- Maintain the quality and continuous improvement in BMS's work;
- Protect BMS staff to report incidents and increase confidence;
- Enable stakeholders to raise a concern and complain on BMS work and quality relationship with stakeholders;
- Provide general information regarding BMS's procedures for handling, responding and resolving complaints and staff incident reports.

3. SCOPE OF THIS POLICY :-

The CRP should be seen as one system for the whole organisation; it includes the whole process from receiving, handling and investigating complaints. This procedure gives confidence to the stakeholders as well as staff to file complaints. BMS's staff can also report incidents through the CRP. All complaints are reported in the same system.

BMS is implementing directly through recruiting and orienting staff and hence, BMS has a responsibility as staff to address the wellbeing and protection of local communities and individuals in its development and humanitarian programs.

3.1 Key definition: what is a complaint, and what is it not?

BMS recognise what Diakonia defines a complaint "Formal expression of dissatisfaction and/or misconduct, about someone or something". It distinguishes the term 'complaint' from 'feedback'. Feedback is any positive or negative informal statement of opinion about someone or something – an opinion shared for information but not with the intention of lodging a formal complaint.

Complaints addressed by this policy-

BMS will accept complaints related to the following examples:

- Misbehavior or misconduct by a BMS staff member with reference to BMS's Code of Conduct.
- Violation of BMS's policies and commitments by staff
- Misbehavior or misconduct staff member
- Misuse of funds/fraud by staff
- Issues related to protection and security of rights holders

Complaints not addressed by this policy- BMS will not respond to the following complaints:-

- Complaints that are already the subject to current investigation by any regulatory body or legal or official authorities in Bangladesh
- Offensive complaints using inappropriate or abuse language.

3.2 Anonymous and Malicious Complaint:-

If a person lodging a complaint chooses to remain anonymous, BMS will only be able to receive the complaint, but will not be able to respond or guarantee an investigation. Complaints will always be treated with confidentiality. Name and contact details will not be revealed to any person outside the investigation.

If a person lodging complaint that is malicious, any investigation underway must be stopped immediately and disciplinary actions be taken if BMS staff's makes the malicious complaint.

3.3 Risk Analysis, Ensure Confidentiality and Safe Environment:-

BMS recognize that there are risks linked to the investigation of complaints and it is therefore very important to always assess what the risks are prior to an investigation and address the risks in an appropriate way.

Confidentiality is critical in the handling of complaints in order to protect the privacy and safety of the complainant, the subject of complaint and other witnesses. Access to and dissemination of information regarding complain will be restricted only to a limited number of authorized staff for the purpose of concluding a necessary investigation. Any breach of confidentiality shall lead to disciplinary action according to HRDM regulations.

BMS shall only allow disclosure when:-

- It is required by law;
- It is needed to obtain specialist help for the survivor or advice on the evidence. BMS seeks to provide a safe environment through which individuals or groups can voice a concern, without fear of reprisal or unfair treatment.

4.0 COMPLAINTS AND INCIDENT HANDLING PROCEDURES:-

In case a staff member receives information informally, that could be subject for a complaint, BMS staff is encouraged to proactively ask if the person that is sharing the information would like to make a formal complaint and if needed assist the complainant to make the complaint.

4.1 Types of complaints:-Operational and Serious complaints and incidents -

When dealing with complaints, BMS distinguishes between “operational complaints and incidents” and “serious complaints and incidents”.

Operational complaints and incidents- Operational complaints refer to complaints on program and project activities and staff incidents. It may be any of the following:

- Issues of entitlements and commitments not met
- The quality of the implementation of a project
- How a program has been managed
- Incidence conducted by employee which incur loss the stakeholders
- The quality of the service provided

Operational complaints can often be resolved to the complainant’s satisfaction through two-way communication between the complainant and the person who received the complaint at project level. It is however recognized that not all issues can be resolved in this way and some cases may need to be reported.

Serious complaints and incidents- A serious complaint is primarily related to breach of Staff’s Code of Conduct. A serious complaint can be any of the following:

- Behavior of a BMS employee
- Allegations of sexual exploitation and abuse
- Allegations of harassment (physical, psychological)
- Allegations of crime, fraud and corruption
- A complaint on an issue posing serious reputational risk to BMS

Serious complaints should be formally investigated with high respect to confidentiality. Accountability Unit (AU) will decide about the external investigation. AFT consists of 3 persons from the organization. Chairperson of the organization will not member of the AFT because of the conflict of interest. Also Accountability Focal (AF) will not be the member of same reason.

4.2 Responsibilities in Handling Complaints and Incidents:-

ALL BMS Staff have a Responsibility- All BMS's employees are required to report allegations, or suspicions of breaches related to BMS's Code of conduct. Proven deliberate non-disclosure will lead to disciplinary action. The obligation to disclose is included in BMS's Code of Conduct.

Chairperson or Executive Committee- Chairperson will make decision based on the complain investigation recommendation. If the complain against the Chairperson than Executive Committee will make decision. They are responsible for

- Ensuring that a system to handle and respond to complaints in a safe and effective.
- Ensuring that the guidelines for complaints handling is followed
- Ensure that CRP is operational and effective for improving performance

Accountability Focal Point- Responsible for

- Overseeing the roll- out of CRMs
- Ensuring that complaints are documented and are complete and secure.
- Informing stakeholders about their right to complain
- Ensuring that all complaints are documented and files are complete and secure
- Synthesis report of different types of complaints received and the status of their resolution shall be reported annually
- Learning documentation and propose for the continual improvements

Accountability Unit- Comprise 3 key persons from the organization. Chairperson and AFP will not be the member of the AU. They are responsible for

- Ensuring that BMS's CRP is relevant and functional and that resources (staff, financial and technical) are allocated to ensure the system is maintained
- Risk analysis and take risk mitigation measures
- Ensuring qualified investigations of serious complaints

Complains Investigation Team- Comprise 3 key persons from the organization. AU will appoint the CIT based on the relevant experiences. They are responsible for

- Planning for the investigation for the serious complain;
- Gather evidence for proceed investigation;
- Responsible for fair investigation and reporting including recommended action

4.3 Steps in processing complaints:-

a. Acknowledging the complaint-

The complainant shall receive confirmation of receipt of the complaint. By sending an acknowledgement, BMS shows that the allegation is taken seriously and handled according to procedures.

b. Risks analysis and Protection-

Risks should be addressed, and any security concerns should be referred to management. Investigation of serious complaints can also involve a risk for the staff or person that conducts the investigation. AFT is responsible to minimize these risks as far as possible.

c. Determining the need for an investigation-

In general, only serious complaint goes through an investigation process. Serious complaints are always referred to Accountability Focal Team (AFT) who then decides if an allegation needs to be investigated.

d. The investigation process-

If a serious complaint warrants further investigation, responsible Accountability Focal Team (AFT) appoints an Investigation Team that involves the 3 key persons from the organization (Never involve the person who is subject for accusations). Chairperson or Executive Committee will make decisions for action on a complaint based on the investigation recommendations. The Complain Investigation Team (CIT) shall have contextual knowledge and will, if possible, be gender balanced.

e. Communicating Investigation Outcome and appeal process –

The outcome of the investigation shall be communicated to the complainant immediately after a decision is made. Any decision will be followed by immediate action.

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 7 days upon receipt of the decision. If this is the case, the reasons given and any other new evidences to make a decision whether or not to conduct a new investigation shall be analyzed. The appeal shall be considered only once.

4.4 Action Time Allotment –

BMS will always strive to take action and solve complaints in a timely manner. However, the time it takes for each complaint to be solved will depend on the complexity and character of the complaint. Serious complain should have to solve within 03 months and operational complain should have to solve within 30 days.

5. Learning and continual development-

A synthesis report of the types of complaints received and the status of their resolution shall be reported annually. The annual reports will focus on learning points and how BMS aims at improving our way of working. This policy will be formally reviewed regularly. Critical lessons learnt and suggestions for improvement should be considered as appropriate and relevant when there is a need to update the system.

Annex 1:- Complaint Format and Report

Compliant Format

Does the complaint concern a BMS employee? (Yes/No)
Name of the person/organization who you wish to lodge a complaint against (if known)
Date of incident:
Place of incident:
Date of reporting:

Type of complaint or incident: (Indicate)

BMS employee issues:

- A. Breach of the Code of Conduct
(employee behaviour incl. sexual exploitation, harassment, corruption, crime)
- B. Employee incidents relating to accidents, decease, security threats or work environment

Other issues related to partners and BMS in general:

- C. Operational issues relating to BMS's work (commitments not met, quality, implementation, management of a programme, etc.)
- D. Corruption and fraud relating to partners
- E. Organised crime (according to national law)
- F. Late reporting from partners
- G. Other (write to the right)

Brief description of what have happened. Try to be as detailed as possible:-----

Who else was there (if any). If so, can the person be contacted?-----

If you wish to be anonymous, BMS cannot guarantee that the complaint can be investigated. If you choose to stay anonymous, do not write anything below.

Name of the complainant:

Job title:

Address:

Country:

Tel:

Email:

Any supporting documents you would like to add:

Annex 2:- Format for investigation report of serious complaints and incidents

1. File no.

2. Who within BMS did receive the complaint? ----

3. Is there any immediate safety risk? ----

4. Confidentiality – who should know/knows about the complaint?-----

5. When was a formal confirmation given to the complainant about the reception of the complaint?
Attach the letter to the report if it is not the standard letter sent automatically from the website. -----

6. Deciding whether to investigate – if no investigate, please write the reason. ----

7. Appointing the investigation team – name and position of investigation manager, name and position
of investigators, name and position of other experts conducting the investigation -----

8. Action plan for investigation – what do you need to do and when? State date for each action.

Date:

Action:

9. Gathering documentary evidence – list the document, all document should be attached to the report

1

2

3

4

5 ...

10. Gathering evidence from people – list people you have talked with, all notes should be attached to the report

- 1
- 2
- 3
- 4
- 5 ...

11. Gathering physical evidence and conducting site visits – list information gathered if any, all documents should be attached to the report

- 1
- 2
- 3
- 4
- 5 ...

12. Reporting on findings. Based on the information gathered write down all information that will substantiate or not the allegations. Evaluate its consistency and reliability.

13. Conclusions and recommendation – justification to close

14. Decision – actions to take

15. Lessons learned

16. Signature of responsible Investigation manager

Decision date:

Name and title:

Signature:

Short information on the complaint, investigation and lessons learned – to be used on the website in the annual report on complaints

Summaries the content of the complaint (max. 500 characters):

Summaries what we did (max. 500 characters):

Summaries lessons learned (max. 500 characters):

Annex 3:- Format for responding to operational complaints and incidents :-

File no.

1 Who with in BMS is responding to the complaint?

2. Respond to the complainant – write the answer that was communicated to the complainant. If it is related to employees disease/health, security threats and work environment, the response shall be sent to the Human Resource Manager

3. Lessons learned – suggestion of improvement in BMS’s operations

Short information on the complaint, investigation and lessons learned – to be used on the website in the annual report on complaints

Summaries the content of the complaint (max. 500 characters):

Summaries what we responded (max. 500 characters):

Summaries lessons learned(max. 500 characters):

Annex 4

Complaint Register / Tracker:

C. No.	Complainant Name (Optional)	Complainant Designation	Active /Close t		Receipt Date of Complaint	Receipt Time	Mode of Receipt Phone (P), Verbal (V), Complaint Box (CB), Complainant Visiting Office (CVO), Letter by Post (LBP), Email (E)	Nature of Complaint		Complaint Cate	
			A	C				Sensitive	Non Sensitive	Job Related	Organization Related



Mst. Beuty Khatun
Chairperson-BMS