

Complaints and Incidents Response Mechanism (CIRM) Policy

Adopted in 2014
Reviewed on August 2022



Unite Theatre for Social Action (UTSA)

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CIRM Policy

1. INTRODUCTION

To improve accountability, UTSA is committed to implement a Complaints and Incidents Mechanism Response Policy (CIRM) in our programmes to enable especially right holder and other stakeholders to raise complaints and give feedback on our work. This policy also enables UTSA staff to report on incidents.

A CIRM describes all steps and processes for UTSA 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 UTSA 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 UTSA's intervention in working area of Bangladesh;
- Enable right holders and other stakeholders to raise a concern and complain on UTSA work and quality relationship with them;
- Protect staff of UTSA by increasing confidence of staff to report incidents;

3. SCOPE OF THIS POLICY

This policy gives the overall frames for UTSA CIRMP, which includes means for external individuals as well as staff to file complaints. UTSA's staff can also report incidents through the CIRMP. All complaints are reported in the same system.

This CIRMP should be seen as one system of the whole organization; it includes the whole process from receiving, handling and investigating complaints.

3.1 Who can complain and how

A complaint can be raised by all types of Rights Holders and Stakeholders of UTSA like

- Persons with Disabilities, Children, Adolescent, Youth, Women, Men, religious, ethnics minorities and LGBTIQI++ & Hizra;
- Care Givers (Teachers, guardians and SMC)
- Professionals (religious leader, doctors, psychotherapist, psychologist, journalist, NGO

- and network representatives)
- GO officials, Local Govt. representatives
- UTSA's staff, Unit members, Volunteers,

UTSA will not accept a complaint more than **three months after the alleged incident**, except in exceptional circumstances and then only in cases of serious complaints, where new 'evidence' has come to light.

Complaints can be made through any of the following ways:

- Complaint Box to head office and field office
- In person to head office and working area
- E-mail to **complaints.utsa@gmail.com**
- Through UTSA's website where a complaints form is available (www.utsabd.org)

In cases where a UTSA employee is receiving a complaint, he/she shall make sure that the complaint is recorded in the form at UTSA's website and that the closest person in charge is informed.

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

UTSA recognize complaint

“An expression of dissatisfaction by the rights holder, rights defender and stakeholders about the standards of services provided by UTSA and its staff.”

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-UTSA will accept complaints related to the following examples:

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

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

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

3.1.2 Anonymous and Malicious Complaint

If a person lodging a complaint chooses to remain anonymous, UTSA 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 UTSA staff's makes the malicious complaint.

3.1.2 Risk Analysis, Ensure Confidentiality and Safe Environment

UTSA 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 HR policy.

UTSA 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

UTSA seeks to provide a safe environment through which individuals or groups can voice a concern, without fear of reprisal or unfair treatment.

1.1 COMPLAINTS AND INCIDENT HANDLING PROCEDURES

In case a staff member receives information informally, that could be subject for a complaint, UTSA 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.

4.1.1 Types of complaints: Operational and Serious Complaints and incidents

When dealing with complaints, UTSA 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 meet
- The quality of the implementation of its intervention
- The quality of the service provided
- Incidence conducted by employee which incur loss the stakeholders

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.

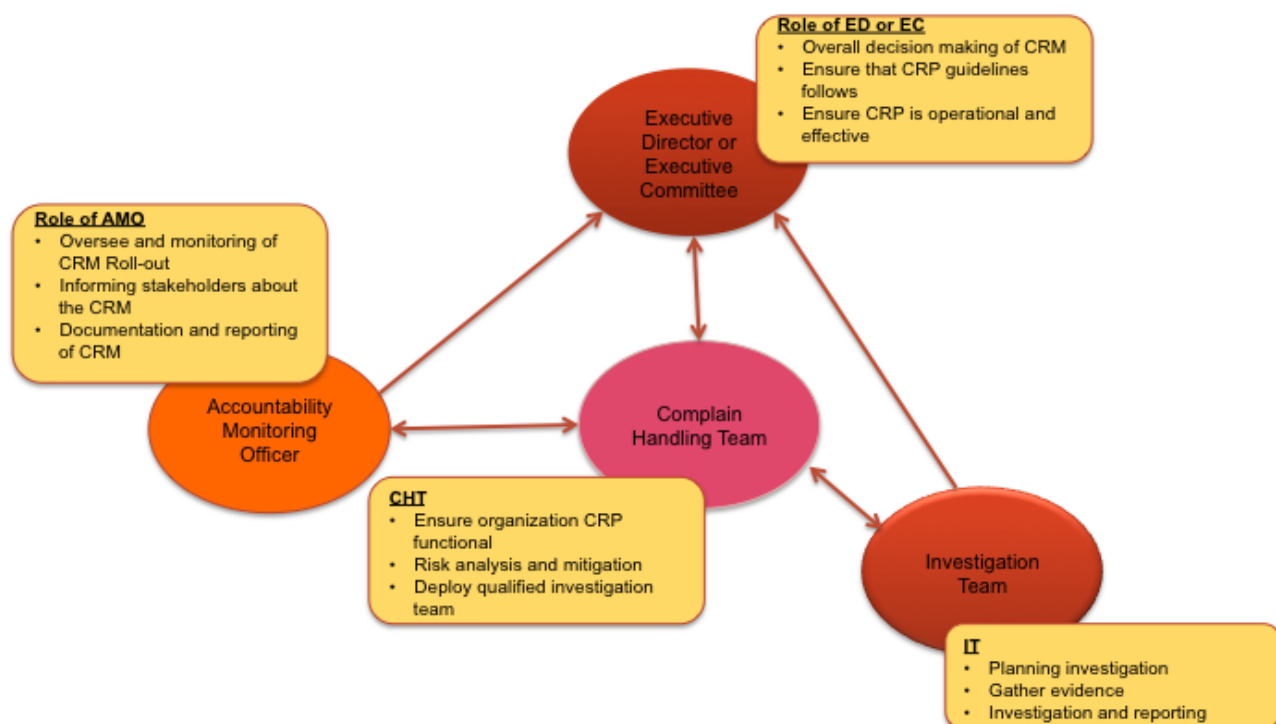
Serious complaints and incidents- A serious complaint is primarily related to breach of Staff's Code of Conduct. A serious complaint can be any of the following:

- Behavior of a UTSA 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 UTSA

Serious complaints should be formally investigated with high respect to confidentiality. Complain Handling Team (CHT) will decide about the external investigation. CHT consists of 2-3 persons from the organization. ED of the organization will not member of the CHT because of the conflict of interest. Also Accountability Monitoring Officer (AMO) will not be the member of same reason.

4.1.2 Responsibilities in Handling Complaints and Incidents

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



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

- Ensure mainstream within the organization as well as in all kind of intervention.
- 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 CIRMP is operational and effective for improving performance

Accountability Monitoring Officer- Responsible for

- Overseeing the roll- out of CIRMPs
- 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

Complaints Handling Team- Comprise 3 key persons from the organization. ED and AMO will not be the member of the CHT. They are responsible for

- Ensuring that UTSA's CIRMP 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

Complaints Investigation Team- Comprise 2-3 key persons from the organization/relevant expert from EC or external. CHT 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

4.1.3 Steps in processing complaints

The flowchart in Annex 1 outlines the main steps taken at different levels in the handling of serious complaints. These are also described here.

a. Acknowledging the Complaint

The complainant shall receive confirmation of receipt of the complaint. By sending an acknowledgement, UTSA shows that the allegation is taken seriously and handled according to procedures. Acknowledgement will be provided within 5 working days after the receiving the complaint.

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. CHT is responsible to minimize these risks as far as possible. They also discuss with the ED or EC about the risk and mitigation steps.

c. Determining the need for an investigation

In general, only serious complaint goes through an investigation process. Serious complaints are always referred to Complain Handling Team (CHT) who then decides if an allegation needs to be investigated. Operational complain will not go through an investigation and it will solve through two-way communications.

d. The investigation process

If a serious complaint warrants further investigation, responsible Complain Handling Team (CHT) appoints an Investigation Team that involves the 2-3 key persons from the organization (Never involve the person who is subject for accusations). Executive Director or Executive Committee will make decisions for action on a complaint based on the investigation recommendations. The Complaint Investigation Team (CIT) shall have contextual knowledge and will, if possible, be gender balanced. Any serious complain need to complete investigation process **within 15 days** after the receiving complaint.

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.

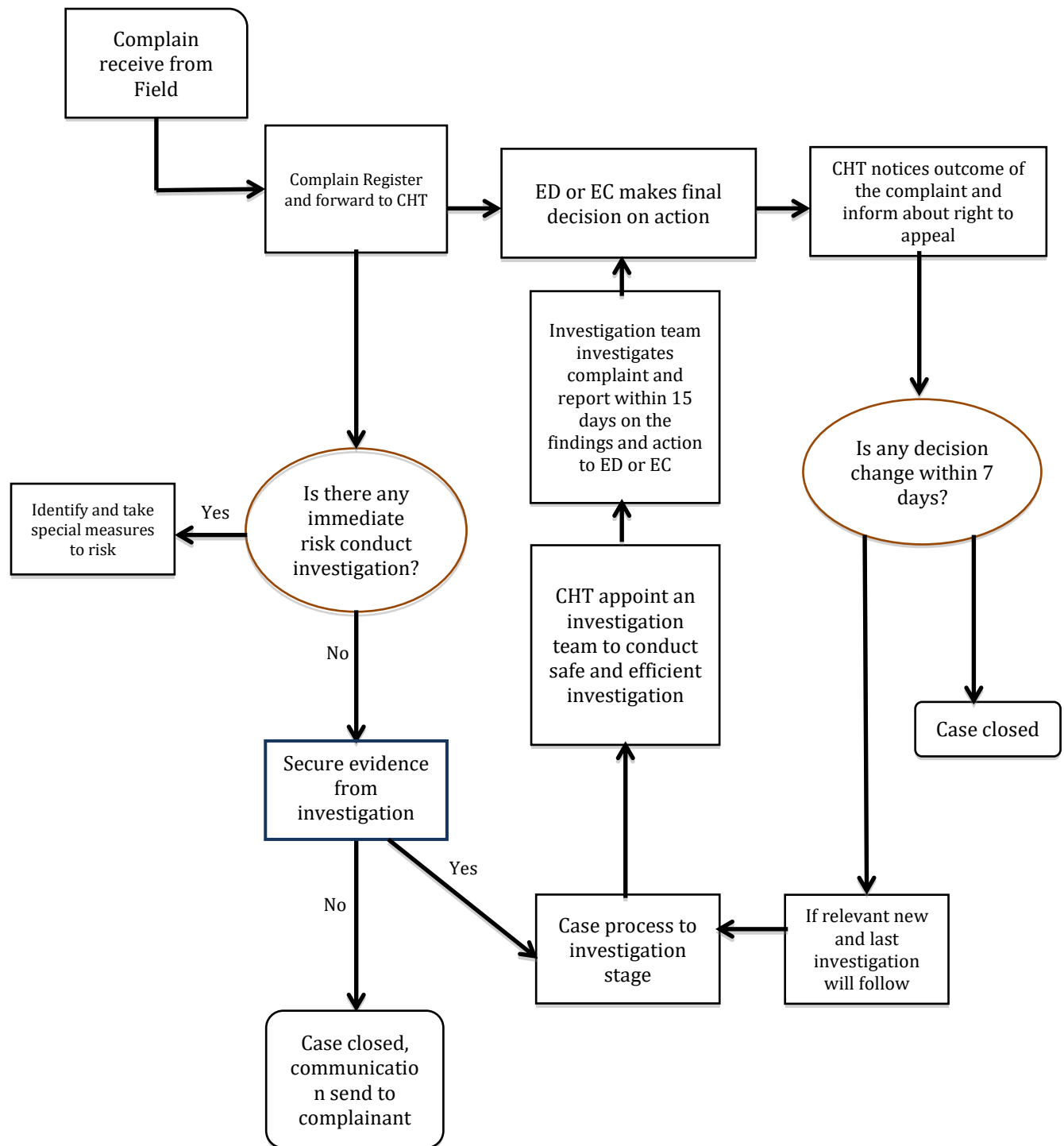
4.1.4 Action Time Allotment

UTSA 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 60days** and operational complain should have to solve **within 30 days**.

3.5 Learning and continual development

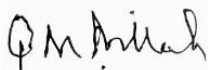
A synthesis report of the types of complaints received and the status of their resolution shall be reported annually. The annual reports will focus on learning points and how UTSA aims at improving our way of working. This policy will be formally reviewed regularly. Critical lessons learnt and suggestions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

Annex 1: Flowchart for handling serious complaints of UTSA



**THE ABOVE POLICIES CAN BE ADDED, SUBTRACTED, CHANGED AND
EXPANDED AS REQUIRED.**

Reviewed policy of **Compliant and Incident Response Mechanism** approved on behalf of
executive committee, dated on 08 September.



(Quazi Mostain Billah)
President, UTSA



(Mostafa Kamal Jatra)
General Secretary, UTSA

ACCEPTANCE AND SIGNATURE OF DUTY

I am taking responsibility to inform about this **Compliant and Incident Response Mechanism** policy.

I am taking responsibility to inform the persons of concern about the reporting mechanism of violation of this **Compliant and Incident Response Mechanism** policy.

I will report any violation of this **Compliant and Incident Response Mechanism** through the channels prescribed by the **Compliant and Incident Response Mechanism** policy reporting mechanism.

I will not stop or force or influence anybody from reporting the violations of this **Compliant and Incident Response Mechanism** policy.

I am acknowledging that any kind of breach of this **Compliant and Incident Response Mechanism** policy may lead to disciplinary action, dismissal or in applicable cases, legal action.

I will not report any false accusations.

I am signing this **Compliant and Incident Response Mechanism** policy in full sense of duty and responsibility.

EID	Signature of the Employee	Signature of the assigned authority/person
Name :		
Position :		
Date :		
Phone :		