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Guidelines for handling complaints¹

1. Introduction

1.1 Background – quality and accountability

The Church of Sweden's international work is based on fundamental values regarding the equal worth and rights of all people, and the vision of a dignified life for everyone. These values are to permeate all our activities, including the manner in which we carry out our work. The Church of Sweden is active in the fields of humanitarian aid, development aid, advocacy and church relations. Its international mission and diaconia has undertaken to constantly improve quality in its activities and in its accountability towards our stakeholders: our partners, target groups, donors, volunteers and the public.

The Church of Sweden is obliged to be fully accountable for its own staff and the manner in which work is performed. It is also accountable for its relationships with partners and for how financial support for partner projects is used. It has a presence in a number of contexts as an important member church and is also accountable for how partnerships work and how work is conducted. As part of an ongoing process to increase our level of accountability, the Church of Sweden intends by means of these guidelines to set up a system for receiving, investigating and responding to complaints/discontent expressed about abuses of power and shortcomings within the framework of our international mission and diaconia. The Church of Sweden's stakeholders are entitled to give feedback and complain to the Church of Sweden if it does not fulfil its undertakings. In this way, we can improve follow-up work on how well our international mission and diaconia function and what action we need to take, thus improving the results of our work while reducing the risk of inefficiency, abuse or unlawful appropriation of the resources we are charged with managing. Therefore, a Complaints and Response Mechanism helps us to learn from and improve our work while constituting a specific tool for preventing, uncovering and solving problems. In addition to this, such a system contributes to greater ownership among our stakeholders due to the fact that they are able to call attention to and address any shortcomings and problems they perceive.

These guidelines aim to clarify the international mission and diaconia's *system for handling complaints* and define who can make complaints, what kinds of complaints can be made, how we manage complaints, etc. The guidelines are linked to the Church of Sweden's *Anti-corruption guidelines* and to internal systems for handling complaints from our own staff regarding employment and work environment issues. As the Church of Sweden is a member of the ACT Alliance, the guidelines are also aligned with the *ACT Complaints Policy*.

2. Scope and limitations of the guidelines

2.1 Starting point and scope of the guidelines and types of complaints included

The guidelines apply to the work performed by the Church of Sweden within the scope of its international mission and diaconia at national level. However, the term 'Church of Sweden' is used below for reasons of simplicity.

¹ Complaints Handling Mechanism/Complaints and Response Mechanism

The Church of Sweden distinguishes between feedback and complaints. Both of these may be received via its Complaints and Response system.

- Feedback – positive or negative – is an informal opinion on something or someone that is shared as a tip or in order to provide information, but without the intention of submitting a formal complaint. Feedback on how well our activities and processes function is a natural part of our work. This kind of information is welcomed but requires no formal response.
- A complaint in the sense referred to here is an expression of discontent about a specific matter by a stakeholder who has been negatively affected by the work of the Church of Sweden, or who considers that the Church of Sweden has not fulfilled one of its undertakings. A complaint necessitates a response.

The Church of Sweden works to ensure it takes a transparent and accountable approach to all its relationships. For this reason, we first and foremost encourage our employees, partners, target groups and other stakeholders to deal with non-sensitive issues informally to the greatest extent possible. Our basic assumption is that discontent or problems should be addressed as close to the activity in question as possible in order to resolve the problem as quickly and efficiently as possible through informal discussions. A formal complaint should be seen as a last resort when a problem cannot be resolved in any other manner.

However, it is not possible to deal with all complaints informally with the partners most closely involved. In light of this, these guidelines encompass complaints that regard *non-sensitive complaints about shortcomings in the performance of activities* or *sensitive complaints* about various forms of behaviour that are in breach of the Church of Sweden's and the ACT Alliance's codes of conduct.

- Shortcomings in our activities concern us not fulfilling the undertakings we have in relation to our partners, target groups, donors, etc., i.e. what we have committed ourselves to doing through our agreements, principles, standards and routines.
- Sensitive complaints concern us or a partner being in breach of our values as defined in the Church of Sweden's and ACT's codes of conduct, including issues regarding corruption, misappropriation, sexual harassment, exploitation and abuse.

2.2 Who can make a complaint?

The following stakeholders are entitled to make a complaint and receive a response to their complaint:

- 1) Women, men, girls and boys who participate in or benefit from projects that the Church of Sweden carries out itself or with a partner².
- 2) The Church of Sweden's partner organisations
- 3) Donors, volunteers and others involved in or affected by the Church of Sweden's international mission and diaconia³
- 4) Employees and elected representatives within the Church of Sweden⁴

2.3 What complaints can be made?

The Church of Sweden handles complaints concerning shortcomings in compliance with the undertakings defined in *The Church of Sweden's undertaking regarding accountability and quality (Accountability Framework)*. This includes the following areas within *international mission and diaconia*:

- Implementation of projects that the Church of Sweden performs itself or with a partner that do not live up to applicable standards, principles or undertakings.⁵

² This definition includes projects that the Church of Sweden finances via partners, and projects that it carries out to support the engagement of dioceses and parishes in international mission and diaconia.

³ As before, members of the public can turn to the Church of Sweden Information Desk to ask questions or give feedback.

⁴ This also includes staff dispatched from the Central Church Office.

⁵ This applies to work carried out in both Sweden and internationally within the framework of international mission and diaconia.

- Perceived shortcomings in the Church of Sweden's way of handling undertakings in a partner agreement, project agreement, general partnership agreement or other type of agreement.⁶
- Perceived lack of respect for the donor and the donor's wishes when handling donations.
- Suspicion of or testimony to shortcomings in compliance with the Church of Sweden's and ACT's codes of conduct by the Church of Sweden's and/or partner's staff⁷, including accusations of sexual harassment, exploitation, abuse, misappropriation of funds, fraud, various conflicts of interest or other unethical behaviour.

Employees at the Central Church Office can also make complaints about discrimination, victimisation and problems in the work environment to the HR department via their immediate superior, HR strategist, safety representative, head of department or HR manager. These complaints are then dealt with in line with Swedish legislation.

2.4 Which complaints are not processed?

Within the scope of these guidelines, the Church of Sweden does not handle the following types of complaints:

- Accusations against a project that is *not* being implemented by the Church of Sweden or by a partner with financial support from the Church of Sweden.
- Complaints about projects or partnerships that a diocese or parish in the Church of Sweden runs itself.
- Complaints about a policy or position adopted by the Church of Sweden within the scope of policy work in international mission and diaconia.
- Complaints from Church of Sweden employees related to terms of employment. Such complaints are to be made to the employee's immediate superior or to the HR department.

If the Church of Sweden assesses that a complaint falls outside the scope of these guidelines, the submitter will be informed of this.

2.5 Secure complaints handling

The Church of Sweden aims to provide a system for complaints which enables stakeholders to put forward their concerns/cases⁸ without fear of reprisals or unfair treatment. As far as possible, the Church of Sweden will do its utmost to ensure that complaints are handled in confidence and without risking effects on employment or any form of reprisal and/or harassment as a result of highlighting a genuine problem. If such effects arise in spite of these efforts, the Church of Sweden will deal with these as well within the scope of the applicable procedure.

*Confidentiality*⁹ is crucial to achieving satisfactory results, as it protects the complainant, the subject of the complaint and other witnesses. The facts and nature of the complaint, the identities of those involved and documentation resulting from the investigation therefore remain confidential and are only shared on a need-to-know basis *with the aim* of performing the necessary investigations. Deviations from this principle are only permitted if required by law, if the management consider that this is in the best interests of the organisation and the parties, or if this is necessary in order to obtain specialist help in sensitive cases. Employees who for various reasons are involved in or have been informed of the content of a complaint are subject to a duty of confidentiality. Deviations from the principle may result in disciplinary action.

⁶ This also includes our responsibility as a member of the World Council of Churches and the Lutheran World Federation.

⁷ This also applies to elected representatives or others representing the organisation during a limited period, e.g. on field trips/study trips.

⁸ "Whistle blowing"

⁹ The Church of Sweden must comply with rules concerning transparency in the Church Ordinance, what is known as the principle of transparency within the Church. However, this does not prevent sensitive complaints being dealt with in confidence in cases where protecting the individual is an issue.

2.6 Malicious complaints

A malicious complaint is an accusation *deliberately* made on false grounds with the aim of causing harm to another individual and of promoting one's own goal or agenda. If, during an investigation that is in progress, it is found that a complaint has deliberately been made on false grounds, the investigation must be stopped immediately and the accused cleared of all suspicion. If a malicious complaint is made by an employee of the Church of Sweden, disciplinary action will be taken. However, a distinction must be made between such cases and cases in which the complaint was made with good intentions but subsequently proved to be unfounded.

3. How to make a complaint

3.1 When?

Those wishing to make a complaint should do so as soon as possible after their attention has been drawn to the problem. Complaints concerning *shortcomings in the implementation of our activities* should be submitted during ongoing work, or one year after the project agreement has been terminated at the latest. For *sensitive complaints*, however, there is no time limit, as it is assumed that the Church of Sweden is responsible for investigating all sensitive complaints as far as possible¹⁰.

3.2 How?

A complaint can be submitted via email, letter or telephone, or in person¹¹. Appendix 1 (link) is a form that can be filled out in order to make a complaint. Complaints should preferably be submitted by email to complaints.internationalwork@svenskakyrkan.se or complaints.internationalwork@churchofsweden.org¹². Send letters to Complaints Focal Point, Internationella avdelningen, Svenska kyrkan, Kyrkokansliet, SE-75170 Uppsala, Sweden.

Also, those wishing to make a complaint can always contact someone they trust within the international department in person and submit their complaint in this way. Details about dissatisfaction or problems can also be given in person to administrators from the Church of Sweden, or international staff. These individuals can then help the complainant to submit a formal complaint. If the complainant needs assistance in making a complaint, an employee from the Church of Sweden's international mission and diaconia can provide this.

Complaints should preferably be made in Swedish or English to limit the number of people aware of a complaint (by avoiding the need for translation). The Church of Sweden is also able to process complaints made in Spanish.

As the Church of Sweden is also a member of the ACT Alliance¹³ and HAP International¹⁴, complaints regarding its work can also be submitted to these organisations.

3.3 What information is required?

Those wishing to submit a complaint should leave their name and contact details so that the CRM focal point at the Church of Sweden can get back to them for further information or to give feedback. They should also state whether they consider the complaint to be of a sensitive nature and how they wish it to be dealt with.

¹⁰ The CRM committee decides what is possible and reasonable to investigate.

¹¹ To be revised/adjusted after further consultation with target groups/stakeholders during the first year.

¹² If the complaint concerns the CRM focal point, it should be sent directly to the head of international mission and diaconia. If it concerns the head of international mission and diaconia, it can be sent to the Secretary General of the Church of Sweden.

¹³ Email: complaintsbox@actalliance.org

¹⁴ Email: complaints@hapinternational.org

4. Procedure for handling complaints

4.1 Person and committee responsible for handling complaints

The Church of Sweden's *CRM focal point* receives details of complaints and ensures that they are followed up in line with the Church of Sweden's CRM guidelines. The CRM focal point drafts the complaint and presents it to the *CRM committee*. This person is also responsible for ensuring that cases and lessons learned are documented. The committee consists of the head of international mission and diaconia along with one or two other individuals.

It assesses the nature of the complaint and makes decisions on how to proceed. The committee is able to delegate non-sensitive complaints to the administrator or unit head responsible for the project, partner or issue in question¹⁵. It is always responsible for managing sensitive complaints. For certain cases regarding complaints about shortcomings in the organisation, or for sensitive complaints, the committee appoints an investigation manager who ensures that the complaint is investigated in line with the applicable guidelines.

4.2 Procedure for handling complaints

Our own and our partners staff are encouraged to informally highlight *non-sensitive* complaints about shortcomings in the activity, to the extent that this is possible. Such complaints should be handled jointly with the staff concerned, as close to the activity in question as possible. Dissatisfaction with how the activity is being implemented should first and foremost be addressed at operational level together with the person's immediate superior. Non-sensitive complaints about shortcomings in the organisation will therefore first and foremost be forwarded to the Program Officer concerned at the Church of Sweden, or to this person's immediate superior if the complaint relates to the administrator's work. The desk officer/manager and the CRM focal point are then jointly responsible for handling, following up and documenting the complaint.

The committee must always be informed of *sensitive* complaints, and such complaints must always be investigated. When such a complaint is received, the committee appoints an investigation manager (often the CRM focal point) and an investigation team with the relevant professional and technical knowledge for conducting the internal investigation.

Suspicious of corruption or fraud are dealt with in line with applicable routines under the direction of the head of the international finance unit, who then becomes investigation manager.

An exception from the decision to handle complaints in the committee applies to complaints about employees in international mission and diaconia. These complaints are sent directly from the CRM focal point to the person responsible for such matters in HR, who in turn manages the investigation in line with employer obligations.

The committee then makes a decision on the outcome of the investigation based on what the investigators have concluded. All complaints are handled in confidence, and individuals are given information on a need-to-know basis only. All information about the complaint is saved/archived in a locked or inaccessible place.

Complaints relating to the work of a partner organisation will first and foremost be forwarded to the partner organisation's complaints officer if the organisation has an established Complaints and Response

¹⁵ In very simple/clear-cut cases, this decision can also be made immediately by the CRM focal point, who forwards the complaint to the administrator and then informs the committee.

system¹⁶. The Church of Sweden's desk officer or CRM focal point subsequently follows up how the complaint is handled, and the complainant receives feedback on how the complaint is being addressed¹⁷.

4.2.1 Acknowledgement of receipt

Those who submit a complaint are to be given an acknowledgement of receipt of the complaint *within two weeks* of the complaint being received. The confirmation must also include information on

- when and how the complaint was received
- the assessment that the Church of Sweden has made of the complaint and whether it will be the subject of an investigation
- the name of the CRM focal point or person in charge of handling the complaint, including contact details, in case of questions or the need for further information.

4.2.2 Decision on need for investigation

As mentioned above, not every complaint about shortcomings in the implementation of activities needs to be handled via a formal investigation. Most non-sensitive complaints can be addressed through communication between the complainant and the subject of the complaint. The committee decides whether the complaint needs to be investigated. Factors that are then taken into account are whether the complaint is a 'complaint' as defined in these guidelines, whether it represents a deviation from our undertakings and procedures, whether there is sufficient information to be able to carry out an investigation, and whether it can be addressed in some other manner. A risk analysis for those involved must also be carried out. The committee also decides at which level the complaint shall be investigated and whether an investigation team needs to be appointed.

Complaints about an employee of the Church of Sweden being in breach of our codes of conduct, including cases of sexual harassment/abuse, must always be investigated. Accusations of exploitation or abuse, including of a sexual nature, must be given priority and handled promptly. This is dealt with by the Church of Sweden's HR department in accordance with special rules (based on Swedish labour law and criminal law) and may be the subject of labour law measures or police investigation¹⁸.

4.2.3 Investigation process

The investigation is conducted in line with the Church of Sweden's instructions for investigating complaints¹⁹. It is the intention of the Church of Sweden to handle complaints in a fair, appropriate and prompt manner. All investigations should be initiated as soon as possible, but the time frame for the investigation and submission of the investigation report is determined based on the nature of the complaint. The complainant should be given information on how long the investigation is expected to take.

4.2.4 Results of the investigation

The Church of Sweden must communicate the results of the investigation to the complainant within a reasonable time of receiving the complaint. In certain complicated cases, the investigation may take a long time. The complainant is informed in such cases that the results of the investigation will take time. Complainants are not informed of the details of the investigation but must be informed of whether the complaint was able to be substantiated or not.

¹⁶ Swedish personal data legislation (Personuppgiftslagen, PUL) prohibits in certain cases the transfer of personal data to a third country.

¹⁷ See also the last paragraph of 4.3.

¹⁸ The Church of Sweden has rules applicable to marriage services under the Chapter.

¹⁹ See *ACT Complaints Handling and Investigation Guidelines*, Section II.

4.2.5 Appeal

Sensitive complaints of a serious nature are handled in line with specific rules (based on Swedish labour law and criminal law) and may be the subject of labour law measures or police investigation. An appeal regarding a complaint may subsequently be made based on applicable statutory provisions. Otherwise, the committee may receive and review a complaint if new information emerges or there are special reasons that have not been considered in previous complaints handling.

4.3 Reference to a third party

In cases where the complaint contains issues that the Church of Sweden is unable to deal with, the complainant will be offered contact with a qualified third party under the applicable routines. The committee makes decisions on such matters.

In large, complicated cases the Church of Sweden, as a member of HAP International, has the opportunity to apply for financial support or assistance in order to carry out investigations. In cases where a complaint concerns an ACT appeal or it relates in some other way to ACT's membership rules, the Church of Sweden will consult ACT on how to handle the complaint or forward the complaint to ACT's Complaints and Response Mechanism for further investigation.

If the complaint is not to be dealt with by the Church of Sweden but instead needs to be forwarded to a partner or a diocese/parish, the complainant must be informed of and consulted about this. In some cases, the person may prefer to make contact themselves.

4.4 Support to those making complaints or giving witness statements

The aim of handling complaints in confidence is to protect both the complainant or the person giving a witness statement about a complaint and the subject of the complaint during the period that the problem is being investigated. The aim of the Church of Sweden is for no-one to be affected by reprisals or unfair treatment for addressing a genuine problem. If this should nonetheless be the case, the Church of Sweden is obliged to support the complainant/witness and investigate any negative consequences that the complaint has led to for these individuals. The Church of Sweden must then also do its utmost to attempt to resolve the problem in consultation with these individuals. It must also be prepared to ensure that the person receives other forms of support if this is necessary in relation to the complaint. The committee makes decisions in this area.

5. Consequences

If an investigation uncovers a breach of any form of agreement or code of conduct, the Church of Sweden may consider disciplinary action. Such action may be taken against both employees and organisations depending on the nature of the problem, the results of the investigation and proposed measures. If a partner organisation has not fulfilled an undertaking, action may be taken under the applicable agreement. Action regarding the Church of Sweden's own staff may be taken under applicable labour law regulations. If it emerges that a partner's staff are in breach of any code of conduct, the Church of Sweden will enter into *dialogue* with the partner organisation and follow up on how the organisation deals with this.

6. Follow-up and lessons learned

Each complaint is investigated, dealt with and documented according to the guidelines. The Church of Sweden's CRM focal point is responsible for ensuring this. In order to learn from and improve our work, complaints will be documented and compiled into an annual report. This report will contain a summary of the number and type of complaints, along with information where relevant about how the complaint was

handled and what lessons have been learned. This report will be made public but all confidential information, including personal data, will be excluded. In connection with the report, an action plan is to be adopted by the management group in order to rectify any structural deficiencies that have been discovered. The report and action plan will be shared with employees in international mission and diaconia and with partners as feedback. The Church of Sweden must also document best practice in partners' methods for dealing with complaints with the aim of improving its own routines and conveying them on to other partners.

7. Internal action plan

These guidelines were adopted by the commission for International Mission and Diaconia on 9 February 2012. They are to apply on a trial basis for the first two years and will be revised as required following a decision by the management group. This means that our stakeholders will have further opportunities to present their opinions on how the system is designed, e.g. how we receive complaints. Lessons learned from work on the Complaints and Response Mechanism will be documented on an ongoing basis by the CRM focal point and the committee.

The opportunity to make complaints under this mechanism will be entered in agreements with partners starting from 2012 (to be gradually implemented over a period of five years). The current agreement with the Lutheran World Federation (LWF) expires in December 2012, and agreements with the World Council of Churches (WCC) expire in December 2013. In 2012, information will be provided to the LWF and WCC on the possibility of making complaints under this mechanism, and discussions will begin on how to implement this type of mechanism in the multilateral context.

The Church of Sweden will work with partners to inform them about our complaints handling procedures and encourage those that do not already have a complaints and response mechanism to establish one. The Church of Sweden considers that this work will have been carried out with all partners within five years.

A function responsible for CRM will be set up when the Complaints and Response Mechanism is launched, and people will be appointed and trained to carry out investigations. Work on complaints handling and follow-up will be assigned an annual budget.

7.1 Work with partners

In the opinion of the Church of Sweden, problems should be resolved as close to the activity in question as possible. For this reason, it will be working with partners to encourage them to set up their own systems to handle complaints. This work may consist of providing support and input regarding how to set up such a system, and to convey *best practices* between different projects and partners. Where work with partners within the framework of ACT appeals is concerned, the Church of Sweden will first and foremost encourage partners to set up joint complaints and response mechanisms locally, or use ACT's Complaints and Response Mechanism.

Whether a partner has its own complaints and response mechanisms or not, the Church of Sweden must also inform the partner of our guidelines and the possibility of complaining/entitlement to complain to the Church of Sweden, and enter into dialogue with the partner on obligations/accountability in relation to the target group/rights bearers. The Church of Sweden must also provide information on the fact that all stakeholders, including the target group/rights bearers, have the opportunity to complain directly to the Church of Sweden. The Church of Sweden must agree with its partners on processes and routines for how complaints are to be handled within the partnership. Goals must be set²⁰ for how the Church of Sweden is to work strategically on supporting its partners in implementing their own complaints and response systems.

²⁰ See separate document: The Church of Sweden's undertaking regarding accountability and quality, 2012–2013 (also known as the *Accountability Framework (AF)*).

