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## Maldivian Red Crescent – Complaints and Appeals Policy

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| Responsible Dept |   |                   |                             |

## 1. Introduction

The Maldivian Red Crescent (MRC) is an independent, voluntary, humanitarian organization established on the basis of the Maldivian Red Crescent Law (Law 7/2009). Its primary objective is to provide humanitarian aid, prevent and alleviate human suffering. Maldivian Red Crescent is mandated by law to be an auxiliary to the public authorities in humanitarian efforts. It is the 187th member of the world's largest humanitarian movement – the International Red Cross and Red Crescent Movement – which every year helps millions of people whose lives have been devastated by crises or conflict.

As per article 10.1 of the Maldivian Red Crescent Statutes, “A documented internal complaints handling and appeals process and policy shall be implemented at Unit and national levels, and members and volunteers shall be provided comprehensive, free and easily accessible information about that process and policy.” Therefore, Maldivian Red Crescent is committed to establishing a functioning, transparent mechanism for dealing with complaints.

Ensuring that our Stakeholders, Beneficiaries and even MRC Personnel can hold us accountable will improve the quality and effectiveness of our work. Handling feedback and complaints is an essential part of an organization's commitment to being liable to its community. It can help assess whether specific objectives are being accomplished, as well as notify when changes or actions to address or mitigate potential issues are needed.. The Policy will also ensure that a system is in place to fairly address all complaints against MRC Personnel.

## 2. Purpose and Scope of the Policy

MRC strives to improve humanitarian interventions through placing communities it serves at the center of its work. It is committed to learning, improving, and encouraging the stakeholder it works with to comment on the progress and effectiveness of its interventions. This shall be achieved through establishing and implementing a Complaints and Appeals Mechanism (CAM), one that is user-friendly, safe, and accessible, for managing, responding to, and monitoring complaints within programmes. The CAM shall support a culture of accountability within MRC by ensuring accessibility to complaints handling policy, procedures, and systems in all spheres of its work.

This policy will set out the procedure for receiving, registering, and handling complaints. It will define the types of complaints that can be received and what will be outside of the remit of MRC and who can complain. It will describe the steps of dealing with a complaint and the learning process to improve the system. The formulation of this Policy is based on MRC's commitment to fairness and transparency for vulnerable persons.

### 3. Policy Statement

MRC appreciates the opportunity to address any complaints, concerns, or feedback that Stakeholders may have about our people or the work we do. We encourage Stakeholders, Beneficiaries, and MRC Personnel to contact us so that we can respond, learn, and improve what we do.

This policy outlines our approach to dealing with complaints, concerns, and feedback. It explains how we will handle any complaints or concerns we receive, such as any alleged or actual fraud, misconduct by our employees, including sexual exploitation and abuse, or the way we planned or delivered services, Programmes, or assistance.

MRC is committed to offering a secure and responsive system for handling complaints and feedback so that we may swiftly resolve any issues about our personnel or the organization's actions. This also supports the way in which we learn as an organization, so that we can improve what we do. Complaints, concerns, and feedback can also be made anonymously

### 4. Key Principles of the Policy

**Confidentiality:** To create an environment in which people are more likely to raise concerns, trust the mechanism and feel confident that there will not be reprisal or retaliation if they use it, confidential processes need to be ensured. Confidentiality helps to ensure safety and protection for those making and those affected by a complaint. This is achieved by restricting those that have access to sensitive information.

**Accessibility:** It is essential that the mechanism can be accessed by as many people as possible within any stakeholder group, especially those who are often excluded or are most marginalized. Where the risk of exclusion is high, special consideration must be given to safe mechanisms that do not require literacy. We are committed to making communication with us as easy as possible for the complainants.

**Transparency:** Stakeholders, Beneficiaries and MRC Personnel must be clearly informed how they can access the CAM and the various procedures that follow once they do so. It is important that the purpose and function of the mechanism is transparent.

**Contextualization and appropriateness:** Any process to develop a system must be localized in order that it is appropriate to the local context, be in keeping with local governance structures and fit within the specific nature of the programme being implemented.

**Safety and non-retaliation:** It is the right of all stakeholders to complain. The safety and protection of the complainant, witnesses, subject of complaint and staff is paramount. To ensure that people are protected and safe when wanting to complain or raise concern, the potential risks to different users need to be carefully considered and incorporated into the CAM design. All necessary precautions must be considered before proceeding to deal with a complaint. Any attempt of retaliation against a complainant is considered gross misconduct and immediate disciplinary action should be taken against such behavior.

## 5. Definitions

**Complaint:** A complaint is an expression of dissatisfaction. It is a specific grievance of anyone who has been negatively affected by any unacceptable service or actions by Stakeholders, Beneficiaries and MRC Personnel or any party directly involved on behalf of MRC. It requires a response and solution if needed. The scope or the types of complaints that will be addressed under this policy are described in the following section.

**Concern:** A concern is a disclosure or allegation about possible or potential abuse, wrongdoing, risk, illegal activity, or poor practice in any area of our work.

**Feedback:** A feedback is a comment that can be positive or negative but does not require a formal response. Feedback provides useful insights into how project activities are perceived or how they are implemented.

**Appeals:** An Appeal is a where a complainant or the subject of the complaint requests a review of a decision made in regard to a complaint.

**Stakeholder:** Includes all MRC partner organizations and any a party can either affect or be affected by MRC

**Beneficiaries:** Beneficiaries a refers to the group of people affected by Activities, Programmes, or Operations of MRC including those who receive support.

**MRC Personnel:** includes all MRC Members, Volunteers and Staff

**A complaint is not:** A general query, request, or suggestion.

## 6. Handling Complaints

### 6.1. Submission of complaints

Complaints can be made by any individual, group or community in the activities that are being carried out by MRC. Complaints can also be made by parties indirectly affected in the locations MRCs work, including the wider community.

### 6.2. Types and Nature of Complaints

A valid complaint has to be about an action for which MRC is responsible or is within our sphere of influence or control. Complaints can be categorized as Non-sensitive and Sensitive Complaints:

- 6.2.1. Non-sensitive complaints could include, but not limited to the following list. The Complaints Committee can classify a complaint as non-sensitive after evaluating the case:

- 6.2.1.1. A concern or complaint about the quality of programme delivery or implementation
- 6.2.1.2. A concern or complaint about the decisions taken by MRC in relation to programme or activity implementation
- 6.2.1.3. A concern or complaint on the implementation of a policy or a programme
- 6.2.2. Sensitive complaints could include, but not limited to the following list. The Complaints Committee can classify a complaint as sensitive after evaluating the case. These complaints will be treated with confidentiality and fast-tracked through the complaints handling procedures.
  - 6.2.2.1. Sexual exploitation and/or any type of abuse by or upon any MRC personnel
  - 6.2.2.2. Fraud and/or corruption by any MRC Personnel or partner organization, such as involvement in bribery or misusing aid or funds
  - 6.2.2.3. Any action which constitutes a breach of MRC principles or code of conduct including Staff Rules and Regulations

### **6.3. Registering Complaints.**

All complaints submitted to the Complaints Committee must be registered at the Complaints Committee. The records and confidentiality of all complaints must be maintained according to the standards decided by the Complaints Committee and the relevant staff supporting the committee shall be responsible for this.

Once any complaint is received it shall be acknowledged and a timeline of action shall be informed to the complainant within 5 working days.

### **6.4. Investigation Process**

If an Investigation is required regarding the complaint, the Complaints Committee shall investigate the matter following due process and ensure procedural fairness to all parties involved in the complaint.

If the nature of the complaint involves a possible criminal action, the case shall be submitted to the relevant authorities at the earliest possible. However, this does not prevent the MRC Complaints Committee from independently investigating the matter and taking action in such a way that it does not impede the investigation of the official authorities.

## 6.5. Decision Making and Follow up actions

Depending on the type and nature of the complaint and as elaborated in the CAM, the Complaints Committee can delegate investigation and decision making to the respective Unit Board or Management.

Once a decision is made by the Unit Board or Management, the complainant, or the person who the complaint was filed against may appeal the decision at the Complaints Committee. Referring to Article 10.8.1 of the MRC Statutes, the decision of the Complaints Committee is final except for the cases mentioned in Article 10.8.1 and if the complaint is eligible to be appealed further at the ad hoc review committee, it may be done so as per the MRC Statues, Rules of Procedure and CAM.

MRC aims to adapt and evolve in response to all feedback received. Complaints are used as feedback to the Programmes and Governance to identify any issues that need to be addressed in programme delivery or working methods. A feedback management system will also be developed to encourage learning and continuous improvement in MRC.

For complaints concerning staff, the line manager and Human Resource Manager shall be involved as per the Staff Rules and Regulations. Most Non-sensitive complaints can be directly managed and handled by the relevant staff or line manager. An appeal regarding the decision of Management regarding a staff can be submitted to the Complaints Committee and Management is inclined to share all relevant documents regarding the complaint.

## 7. Policy implementation and Review

MRC Management and Complaints Committee carries the responsibility for Implementing this policy and developing the CAM within 6 months of adoption of this policy.

All MRC Personnel shall be sensitized on this policy as well as the CAM and other relevant frameworks and documents by the MRC Management. All MRC Personnel have a responsibility to constantly remind stakeholders of our policy and that we are all available to receive complaints and feedback at any time.

The CAM will ensure that a complaints and appeals process is established at MRC starting from the Unit level.

This Policy will be in consultation with the Complaints Committee every 3 years or if a necessity arises.