

# Complaint Response Mechanism LWF Myanmar

Approved by Management Team on 13rd December, 2012 Bagan, Myanmar

## INTRODUCTION

Since 2008 The Lutheran World Federation (LWF) Myanmar, has proudly served the people of Myanmar.

LWF Myanmar wishes to see that the people of Myanmar live in peace, dignity and harmony in a democratic and just society, united in diversity and empowered to achieve their universal rights.

Inspired by this long-term vision, LWF Myanmar facilitates the empowerment of vulnerable rural poor to claim their rights. Its core values are deeply rooted in justice, equity, people's participation and transparency and accountability.

LWF Myanmar is committed to working in an open and responsible way that builds the trust and respect of all our stakeholders. LWF Myanmar is committed to high quality humanitarian and development programming and seeks to work with affected communities and populations in the best way possible by applying the highest standards, flexibility and pragmatism in implementation, and balancing accountability towards affected population and the expectations of partners and back donors.

Resources and responsibilities for decision making are to be used in ways that are mutually transparent and answerable to all stakeholders. To ensure that this commitment is lived out, a mechanism which allows all stakeholders to raise concerns and express their dissatisfaction with LWF Myanmar's works is necessary. This feedback helps LWF Myanmar improve its work and keep it in line with its core value of accountability.

LWF Myanmar believes that hearing what stakeholders have to say is not enough as it is not the end. Therefore, LWF Myanmar herewith establishes this Complaints and Response Mechanisms to encourage feedback about its work from all its stakeholders. The complaints mechanism shall be accessible to the public, donors, LWF Myanmar staff, authorities at all level, and most especially our partner communities and households. Where the feedback is a complaint about LWF Myanmar conduct, LWF Myanmar shall respond in a timely and appropriate manner through its established mechanisms.

This policy will be actively disseminated to all stakeholders, especially affected populations, using appropriate language and means.

## GUIDING PRINCIPLES

- LWF Myanmar is guided by the values of dignity and justice, inclusion and participation, accountability and transparency, and compassion and commitment, respect and appreciation for diversity.
- LWF Myanmar has zero tolerance to any form of abuse of power, sexual exploitation, fraud<sup>1</sup> and corruption, physical and psychological abuse and criminal offences<sup>2</sup>.
- The LWF Myanmar's Code of Conduct serves to guide all LWF Myanmar staff in their attitudes, behaviors and ethical decisions in their professional as well as private lives.
- LWF Myanmar takes complaints seriously and positively. It shall address all issues of sexual exploitation, child sexual abuse and exploitation, abuse of power, corruption and breach of the LWF Myanmar's policies and standards.

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<sup>1</sup> Including false accusations

<sup>2</sup> Criminal offenses understood as deliberated acts which put in danger the life and physical integrity of any person

- LWF Myanmar is committed to the establishment and enforcement of an effective procedure for handling and responding to complaints. Procedures shall be simple, easily understood and widely publicized.
- Appropriate cultural and local practices are respected in the development of complaints mechanisms. Cultural practices violating human rights and against LWF Myanmar's values are exceptions.
- No staff shall retaliate against the complainant in whole or in part because his or her wrongful conduct has been disclosed. Any staff that is found to have violated this policy 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. Confidentiality shall not be undermined at any point.
- 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's and improvement towards LWF Myanmar's accountability.
- Every LWF Myanmar staff has the right to hear expressions of concerns and dissatisfaction and an obligation to respond positively to any complaints made to them. Senior management should ensure an atmosphere of trust, confidence and positive values for this purpose. Guidance and procedures are provided for staff, other stakeholders and the 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 the steps to be taken with regards to dealing with complaints, who the specific focal point person is and the corresponding timelines to deal with complaints.
- Serious complaints against senior project staff are to be handled by the LWF Myanmar Program's Complaint Handling Committees (CHC).
- Serious complaints against LWF Myanmar Representative or any executive management team member shall be referred to and handled by the LWF Department for World Service through the relevant Geneva based Program Officer.

### 1. DEFINITIONS AND CHARACTERISTICS OF COMPLAINTS

#### 1.1 Definition

- A complaint is as an expression of concern or dissatisfaction made by an individual or a group, related to possible misconduct by LWF Myanmar. Possible misconduct could be in relation to program activities and operation or conduct of its personnel, how LWF Myanmar works with the communities or affected population and partners, or when LWF Myanmar policies are not respected.

Complaints could refer to, but are not limited to, the following:

- the program operation which has negatively affected the communities;
- the behavior of staff;
- the quality of program delivery;
- abuse of power manifested against those with less social power physically 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, comment expressing or implying 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 LWF/DWS work
- A request for information
- A contractual dispute
- Complaints relating to internal staff employment conditions, guidelines and benefits are not dealt with by this complaint mechanism but through the relevant National Personnel Regulations.

### 1.2 Types of Complaints

LWF Myanmar categorizes complaints into 2 categories<sup>3</sup>: a)-Operational Complaints and b)-Serious Complaints.

#### A.Operational Complaints

Operational complaints refer to complaints concerning LWF Myanmar program activities and operations. They could be any of the following:

- issues of entitlements and commitments not met,
- the quality of the service or program delivery,
- the program operations which affect the communities

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

Operational complaints can be dealt with at a project or program level using its organizational management structure. It is however recognized that not all issues can be resolved in this way and that a formal complaints mechanism is required for the project or program to act on formal complaints. Complaint Handling Committees (CHC) shall therefore be appointed and given authority to handle formal complaints at their respective levels of responsibility.

#### B. Serious Complaints

A serious complaint is related to breach of the LWF Myanmar's 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<sup>4</sup>
- 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

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<sup>3</sup> Adapted of LWF Geneva

<sup>4</sup> *Criminal offense understood as deliberated acts which put in danger the life and physical integrity of any person*

through the established mechanism even if the person does not want to make a complaint.

- The responsible CHC at the program and/or project level handles all serious complaints. Any serious complaints which are beyond the capacity of the CHC or when the redress provided by the responsible CHC does not satisfied the complainant or abused, handling of such complaint can be referred to higher relevant institutions. All serious complaints must be reported by the Regional Representative to the LWF Myanmar.

A serious complaint may warrant further investigation. Any investigation arising from a complaint will be subject to a separate process of investigation in line with the LWF Myanmar Investigation Guidelines. (See section 3.8 **Deciding whether to investigate and or channeling as appropriate** and followed Investigation Guidelines)

### **1.3. Anonymous Complaints**

- An anonymous complaint refers to a complaint that is lodged without revealing the identity of the complainant and/or accused. LWF Myanmar strongly encourages individuals making complaints to disclose their identity and that of the accused 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, LWF Myanmar shall consider receiving anonymous complaints. Without this option, it is impossible that some serious problems may come to light.

### **1.4. Malicious Complaints**

- LWF Myanmar 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 LWF Myanmar staff member, appropriate disciplinary measures will apply according to the personnel guidelines.

### **1.5 Complaints that cannot be dealt with by this mechanism**

The complaints mechanism does not apply to any complaints that are being investigated by any regulatory body or legal or official authorities in Myanmar. These complaints include but are not limited to the following:

- Events requiring investigation by a professional and/or a disciplinary body.
- Events requiring an independent inquiry into a serious incident involving national governmental authorities.
- Events requiring investigation of a potential criminal offence.
- Legal action - The complaints procedure will cease immediately if the complainant explicitly takes legal action in respect of the complaint.

If a complaint is received which is not within the responsibility and domain of LWF Myanmar, the process of referral shall be made to the relevant body deemed to be appropriate to deal with the complaint. However, LWF Myanmar may take disciplinary or preventive measure on the case, as well as to conduct administrative investigation when deemed necessary.

## 2. RESPONSIBILITIES IN HANDLING COMPLAINTS

All staff should respond positively to any complaints given 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 Appendices 5a and 5b give a visual glimpse of the procedure and timelines. These should be made available to all parties to encourage a focus on problem solving. .

**2.1 The Regional Representative of the LWF Myanmar** is responsible for ensuring that the Complaints Mechanism is relevant and functional. He/she makes the final decision on the appropriate action, based on the results of complaint handling, provisions of the Complaints Response Mechanism and other organizational policies.

**2.2 The Program Coordinator** is assigned to ensure that the policy is followed according to the established procedures. The Program Coordinator is assigned to ensure the complaint and the procedures are documented and filed are completed and secured. The Program Coordinator is also assigned to regularly review and take lead to amend the policy if needed.

**2.3 A Complaints Handling Committee** shall be assigned. An **Investigation Team** shall also be constituted based on the Investigation Guidelines. **Complaints Handling Committee (CHC)** shall be constituted at the Program and Project levels and shall be composed of the **Executive Management Team** and the **Project Management Team**. The respective Committees recommend to the LWF Myanmar Program Coordinator the steps to be taken with regards to the Complaint.

**2.4 A Focal Point Person** is assigned to receive the complaints and ensure that the policy is followed according to the established procedures. The focal point person ensures the complaint and the procedures are documented and files are complete and secure

The **Project or Program level CHC** is responsible to handle serious complaints that fall under its respective responsibility and domain. Any cases the Project CHC can't handle shall be directed to the Program CHC. Cases shall be referred to the LWF Department for World Service Geneva office if the Program's CHC or Executive Management Team can't handle it or redress is not satisfied by complainant or the accused.

- Complaint against Project Coordinator shall be handled by the Program CHC.
- Complaint against Project Staff, except Project Coordinator, shall be handled by the Project CHC.
- Complaint against Regional Representative shall be handled by LWF Department for World Service Geneva office.
- Complaint against EMT member(s), except Regional Representative, shall be handled by the Program CHC with participation of the LWF Department for World Service Geneva office.

## 2.5 CHC assigned by LWF Myanmar

CHC is established to handle Serious Complaint. There are three level of CHC, Program level, Project level and Village/Camp Level. Composition of CHC is as the following:

### a) Program CHC

- Program CHC composes of five people. These include Regional Finance & Admin Manager, Program Coordinator, Deputy Program Manager, Human Rights Coordinator and Accountability Officer. Accountability Officer in Yangon serves as Complaint Focal Point, who takes the roles to receive complaints, administration of complaint email, register complaint, sends complaints to CHC or Executive Management Team and attends CHC meetings.
- The five select one among themselves as the chair and the rest are members.

### b) Project CHC

- Project CHC is comprised of five people. These include (one) Project Coordinator (three) Community Empowerment Officers, (one) Admin Officer/ FAO/AALO. Admin Officer/ FAO/AALO in field offices serve as Complaint Focal Point, who takes the roles to receive complaints, administration of complaint email, register complaint, send to complaints to CHC or Executive Management Team and attend CHC meetings and send acknowledgement letter after meeting finished. All are voting members. Among the five, they select one as the chair and the rest are members.

c) Project CHC(Sittwe): This includes (one) Project Coordinator, Camp Management & Camp Coordination Coordinator, (one) Camp Management & Camp Coordination Officer, (one) Community Service Officer, (one) Complaint Response Officer. All are voting members. Complaint Response Officer is assigned as Complaint Focal Point.

### d) Village CHC/Camp CHC Village CHC/Camp CHC

Village/Camp CHC is comprised of five people. These include (one) VDC/Camp member, (one) Women /Group member, (one) Youth /Group member, (one) livelihood /Group Member and (one) Community Empowerment Facilitator/Business Empowerment Facilitator/Incentive Worker. If there are no enough group in the village /camp, select suitable person to be comprised and gender balance is important role. All are voting members. Among the five, they select one as the chair and the rest are members.

- Community Empowerment Facilitator/Business Empowerment Facilitator/Incentive Worker is assigned as Complaint Focal Point who takes the roles to receive complaints, register complaint, sends complaints to respectively offices.
- Among the five, they select one as the chair and the rest are members.
- All members are assigned to observe the complaint box opening and registration as witness done by CFP/BEF/Incentive Worker.

## **2.6 Absence of CFP in the duty station during complaint handling**

If CFP is outside of his/her assigned area, his supervisor needs to be informed through travel authorization and assigned responsibility needs to be delegated to a suitable staff member. The delegated staff must receive clear instruction on responsibility and must report to respective line supervisor.

## **2.7 CHC Meeting**

CHC meeting will be held when receive complaints from field level. Key Meeting minute and report submitted to Accountability Officer through responsible staff in each project office according LWF reporting timeline.

### **Decision Making Procedures**

- Quorum: at least 4 of the 5 CHC members
- Voting: 50% +1
- In case a majority vote is not obtained, more information may be gathered if possible and CHC shall meet again for a re-vote.
- Final decision making is subjective to be the power of the CHC chair if majority of voting is still not appeared during the second and final meeting.
- Secret ballots shall be used for CHC decision making.

All handled complaints shall be informed by the LWF Myanmar Regional Representative and to the LWF Department for World Service Geneva Office.

## **2.8 Devising and disseminating the procedures to handle complaints**

LWF Myanmar management is responsible to devise and publicize the Complaints and Response Mechanism. LWF Myanmar management shall ensure accessibility and its effectiveness.

## **2.9 Complaints involving partners with whom LWF Myanmar works**

In working with partners who implement on behalf of LWF Myanmar, the partnership agreement shall outline the partner's adherence to the Codes of Conduct of LWF Myanmar. Partners, if possible, shall be requested to set up their own complaints handling mechanisms.

If operational complaints are raised regarding partner's project supported by LWF Myanmar the complaint shall be dealt by special meetings and monitoring visits.

Serious complaints against the partner must be referred to the respective organization/concerned authorities.

## **3. How To COMPLAIN**

The CRM consists of four main steps: making the complaint, processing the complaint, handling the complaint and communicating the redress.

### **3.1: Making the Complaint**

A complaint could be raised by:

- an individual, community or suppliers with whom LWF Myanmar works
- a partner government, including authorities and institutions at all levels
- a partner organization, including LWF Myanmar member churches, LWF Myanmar

- related agencies
- members of community affected by LWF Myanmar Project
- a staff/volunteer of LWF Myanmar.

**A complaint can be made through any of the following mechanisms:**

- In person (all levels)
- Through a trusted intermediary
- A complaints box /Complaint letter
- Through LWF Myanmar's website where a complaints from as available.
- e-mail
- Phone call
- Focus Group Discussion and Field Visits by using KOBO Mobile Tech.
- Information and complaint desk (sharing and listening hour) in each camp

A complaint can be brought directly to any LWF Myanmar staff member irrespective of rank. In case the person who received the complaint is not the Complaint Focal Point (CFP), the staff shall forward the complaint to the concerned CFP.

### **3.1.1 In person (all levels)**

- A complaint can be lodged in person to all project offices and Yangon Office as well. Complaint Focal Person has in respective office designed to receive complaints. Designated staffs as presented in [Appendix 6](#) are assigned at every office.
- The complainant can be submitted his/her complaints directly to the office or will be met directly to the designated focal point person in office to address their issues verbally or in writing of standard complaint form or can drop his/her complaints in complaint boxes attached to LWF program and project offices.

### **3.1.2 Through a trusted intermediary**

- If complainant are unable to speak with LWF, if he/she nominate someone to speak to us on behalf, LWF is welcome speak with this person. To make sure we may contact you to ask your permission either via phone or who have delegation letter or evident, the CFP will be received the complaint. If complainant inform us to make a complaint but require assistance to do so(for example, if Burma Language is not your native language or you have a hearing impairment),you can contact us via a language interpreter assistance .We also have staff speak languages other than Burma who may be able to interpret in some cases in field offices. Should you have more specific needs requiring assistance in making a complaint, please let us know so that we can determine how to assist you.

### **3.1.3 A complaints box / Complaint letter**

- A written complaint can be dropped in a "complaints box". An easily accessible complaint box must be located in each LWF Myanmar's targeted villages, camps, project offices and the Yangon Office.
- LWF will provide the complaint letter and envelope designed by the LWF. If there is not enough space for the complainant to write his/ her feedback, they can use

extra paper and put it in the envelope and send back to the organization statement address.

- The person who wants to address their complaint can be written by their own plain paper. How they want an answer (Tick an option they chose): staff member of LWF will come and present the final solution; by means of meeting; by announcing publicly; by telephone; by letter; and by e-mail. An A4 paper will be folded into the shape of an envelope with double tape stickers which can be used to close the envelope at the end. All these envelopes, complaint form will be made available at the offices, CFP, villages and camps.

### **A complaints box at targeted villages**

- The complaint box will be prominently displayed in the village near the public entrance, clearly marked and with a notice placed nearby explaining its purpose and also giving contact details of LWF for those who wish to express their complaint directly. The box will be locked and the sole key held by designated focal person.

### **A complaints box at Camps**

- The complaint box will be prominently displayed in the camp near the public entrance, clearly marked and with a notice placed nearby explaining its purpose and also giving contact details of LWF for those who wish to express their complaint directly. The box will be locked and the sole key held by designated focal person.

### **A complaints box at project office**

- The complaint box will be prominently displayed at project offices clearly marked and with a notice placed nearby explaining its purpose and also giving contact details of LWF for those who wish to express their complaint directly. The box will be locked and the sole key held by designated focal person.

### **A complaints box at Yangon head office**

- The complaint box will be prominently displayed at Yangon office clearly marked and with a notice placed nearby explaining its purpose and also giving contact details of LWF for those who wish to express their complaint directly. The box will be locked and the sole key held by designated focal person.

### **3.1.4/5 e-mail**

A complaint can be lodged through a confidential e-mail designed to receive complaints. Designated e-mail as presented in Appendix 6 is posted at every complaint box. Through LWF Myanmar's web site where a complaints form is available. Official mail address can be accessible for all users such as [Complaint.Myanmar@lutheranworld.org](mailto:Complaint.Myanmar@lutheranworld.org) Complaint format can be accessed by using the internet through LWF Myanmar Website as follows: <https://myanmar.lutheranworld.org>.

### **3.1.6 Phone call**

A complaint can be lodged through a confidential telephone line designed to receive complaints. Designated confidential telephone line as presented in Appendix 6 are posted at every complaint box.

### 3.1.7 Focus Group Discussion and Field Visits

#### Time limit for making a complaint

Any complaint should be made at any time but no later than **six months** from the date of the incident.

### 3.2: Processing the Complaint (within 5 working days max)

#### 3.2.1 In person (all levels)

- A complaint can be lodged in person to all project villages, camps, project offices and Yangon Office as well. Complaint Focal Person has in respective office designed to receive complaints. (See Annex 4).
- In Person(all levels)at targeted villages/Camps
- All complaints whether verbal or written should be filed, documented and maintained in complete confidence. The village/camp staffs receiving the initial complaint should interview complainant, completing the more detailed information and fill up the Annex 2 Form .The completed form should be signed by the complainant, then recorded and forwarded to the Complaint Focal Person within 5 working days.
- Where possible, complaints must be acknowledged by complaint Focal Person within five working days of receipt of the complaint based on Complaint Handling Committee meeting findings. For operational complaint or serious complaint ask to speak with a complaint focal person of Complaint Handling Committee.
- CFP is the primary designate to receive complaints. When a complaint is received, the CFP registers and sends it to the concerned CHC for serious complaints, or to the concerned management structure for operational complaints.
- Complaint Handling Committee CHC considers the appropriate steps to take, including the initiation of preliminary inquiry or an investigation. The CHC will form Investigation team as situational requirements.(See Investigation Guideline)
- All complaints whether verbal or written should be filed, documented and maintained in complete confidence. The focal person receiving the initial complaint should interview complainant, completing the more detailed information and fill up the Annex 1 Form .The completed form should be signed by the complainant, then recorded and forwarded to the member of Complaints Handling Committee within 5 working days.
- A written or verbal acknowledgement (as appropriate) from the member of CHC will be sent to the complainant verifying that a complaint was received.

#### 3.2.2 Through a trusted intermediary

If you are unable to speak with LWF, if you would like to nominate someone to speak to us on your behalf, LWF is welcome speak with this person. A complaint can be lodged on the behalf of you to all project offices and Yangon Office as well. Complaint Focal Person has

in respective office designed to receive complaints.

### Through a trusted intermediary at targeted villages/Camps

- To make sure we may contact you to ask your permission either via phone or who have delegation letter or some prompt of evident, the BEF/CEF will be received the complaint. If you would like to contact us to make a complaint but require assistance to do so(for example, if Burma Language is not your native language or complainant have a hearing impairment or writing difficulties),you can contact us via a language interpreter assistance .We also have staff speak languages other than Burma who may be able to interpret in some cases in field villages/camps.
- All complaints whether verbal or written should be filed, documented and maintained in complete confidence. The village/camp staffs receiving the initial complaint should interview complainant, completing the more detailed information and fill up the Annex 1 Form .The completed form should be signed by the complainant, then recorded and forwarded to the Complaint Focal Person within 5 working days.
- Where possible, complaints must be acknowledged by the designated staff within 5 working days of receipt of the complaint.

### Through a trusted intermediary at Project Office / Yangon Office

- To make sure we may contact you to ask your permission either via phone or who have delegation letter or some prompt of evident, the CFP will be received the complaint. If you would like to contact us to make a complaint but require assistance to do so(for example, if Burma Language is not your native language or you have a hearing impairment or writing difficulties),you can contact us via a language interpreter assistance .We also have staff speak languages other than Burma who may be able to interpret in some cases in field offices.
- All complaints whether verbal or written should be filed, documented and maintained in complete confidence. The complaint focal person in project office receiving the initial complaint should interview complainant, completing the more detailed information and fill up the Annex 1 Form .The completed form should be signed by the complainant, then recorded and forwarded to the Complaint Handling Committee within 5 working days.
- Where possible, complaints must be acknowledged by the designated staff within five working days of receipt of the complaint.

### 3.2.3 A complaints box

#### A complaints box at targeted villages

- **Before staffs go from village to field office**, CEF/BEF will collect complaints from the village complaint box. CEF/BEF keeps key of complaint box. Collected complaints are recorded in the standard record sheet by the village leader with CEF/BEF .Collected complaints from villages shall be given to project office CFP no later than **one working-day** after the collection.
- Where possible, complaints must be acknowledged by the designated staffs within five working days of receipt of the complaint.

### A complaints box at Camps

- **Before staffs go from camp/village to field office**, CEF/ Incentive Worker/camps staff will collect complaints from the camp complaint box. CEF/Incentive Worker keeps key of complaint box. Collected complaints from villages shall be given to CFP no later than **one working-day** after the collection.

### A complaints box at project office

- The complainant can be submitted his/her complaints directly to the office or put his/her complaint to office complaint box. Before Complaint Handling Committee meeting starts FAO/or AALO, will collect complaints from the project office complaint box. FAO/or AALO keeps key of complaint box. Collected complaints from villages and office shall be recorded in register book no later than **one working-day** after the collection.

### A complaints box at Yangon head office

- The complainant can be submitted his/her complaints directly to the Yangon office or put his/her complaint to office complaint box. Every **two weeks**, the Program's CFP- **Accountability Officer** collects complaints from the complaint box at head office. Accountability Officer keeps key of complaint box. Collected complaints from box shall **be recorded in the register no later than one working-day** after the collection.
- Through LWF Myanmar's web site where a complaints form is available.
- Complaint format can be accessed by using the internet through LWF Myanmar Website <https://myanmar.lutheranworld.org>.
- The complaint focal person-Accountability Officer is administered this complaint letter and complainant can be lodged through a confidential internet line. LWF mention the contact details of an complaint focal person who organize all the feedback that comes through the internet (e-mail) on its official website <https://myanmar.lutheranworld.org>. The individual who would like to give feedback must complete the feedback form which will be uploaded on the web under the 'tab, "contact us"'. When complainant addresses his/her complaint, it is mandatory required name, email, subject and what you want to mention and click "send". The letter will be recorded at our mailing system.
- Otherwise the user directly clicks the [Complaint.Myanmar@lutheranworld.org](mailto:Complaint.Myanmar@lutheranworld.org) under Complaints Focal Person. When you touch this mail link, the color will be prominently changed, click to use, procedure is the same as above mentioned.

Every week, the Program CFP- **Accountability Officer** access to office complaint mails [Complaint.Myanmar@lutheranworld.org](mailto:Complaint.Myanmar@lutheranworld.org)

- All complaints written should be filed, documented and maintained in complete confidence. The focal person receiving the initial complaint then recorded and forwarded to the member of Complaints Handling Committee within 5 working days.
- A written or verbal acknowledgement (as appropriate) from the member of CHC will be sent to the complainant verifying that a complaint was received.

### 3.2.4 e-mail

- Dedicated email address to receive complaints will be shared with the Complaint Focal Person; password of this email address kept assigned person only to retrieve complaint and forward these to relevant project for the further action.
- For all program and related projects any issues and feedback use this mail address [Complaint.Myanmar@lutheranworld.org](mailto:Complaint.Myanmar@lutheranworld.org)
- Every **week**, the Project's CFP, Program CFP-**Accountability Officer** access to office compliant mails.
- All complaints written should be filed, documented and maintained in complete confidence. The focal person receiving the initial complaint then recorded and forwarded to the member of Complaints Handling Committee within 5 working days.
- A written or verbal acknowledgement (as appropriate) from the member of CHC will be sent to the complainant verifying that a complaint was received.
- Password will be kept and handled by CFP and if CFP is resigned, CFP and Project Coordinator inform to Accountability Officer for Email Account and handover.

### 3.2.5 Hotline

- LWF Yangon Office, project offices, villages and camps will be shared a contact number to lodge complaint with the LWF.
- To note down complaint through the phone special responsibilities assigned to complaint focal person-CFP.
- Assigned complaint focal person record the feedback as per the format mentioned in written form for further action.
- The focal person identifies the person who gives feedback; get the contact details of the person.
- Confirm the feedback details.
- Ensure their preferred means of response from the LWF.
- Explain the steps it would take to solve the issue and
- Acknowledge their attempts to give feedback towards LWF.

### 3.3. Handling the Complaint (within 21 working days max)

LWF Myanmar shall handle complaints within **21 working days** after receiving a complaint. In case a complaint cannot be handled within this time frame, the complainant will be informed in writing /phone called indicating when a full response can be given. All complaints must be dealt in a fair and professional manner.

The Complaint Focal Person will be responsible for ensuring complete and accurate recording of all material relating to an investigation into a complaint. Details of each investigation should be contained within a discrete complaint file, which should contain all correspondence, file notes of telephone conversations, interviews and findings from investigations, recommendations and internal approvals. The file should also contain evidence of the steps taken to investigate the complaint including a summary of actions in respect of recommendations (if any) made.

To maintain confidentiality, access to information filed about a complaint (both electronic and paper based) should be restricted to staff of the office of the Program Coordinator, investigating officers and those officers approved by the Program Coordinator.

Confidentiality is always maintained and the safety of the complainant and relevant people is ensured. Throughout the entire process of complaint handling, only the staffs that are responsible to handle complaint are aware of the complaint and the information surrounding the complaint. Any breach of confidentiality shall lead to disciplinary action according to the LWF Myanmar's Personnel Policies.

The CHC at program and project levels is responsible to handle Serious Complaints. And Project Management Team/Management Team is responsible to handle Operational Complaint within their respective domains.

### **3.4 Step in process of Acknowledgement Letter**

For the reasons of transparency and accountability, a written acknowledgement of receipt of complaint shall be sent to complainant.

All acknowledgement letters should be filed, documented and sent in complete confidence. Use the Annex 4 Form .The completed form should be signed by the CFP, then recorded and forwarded to the complainant Person within 5 working days.

If the complainant does not want a written acknowledgement (letter) or LWF Myanmar believes that such way may put the complainant or others at risk, it is possible to confirm the receipt orally or by any other way which is safe and appropriate.

Regarding anonymous complaints, LWF Myanmar shall try to identify the most appropriate way to acknowledge receipt of the complaint, if possible.

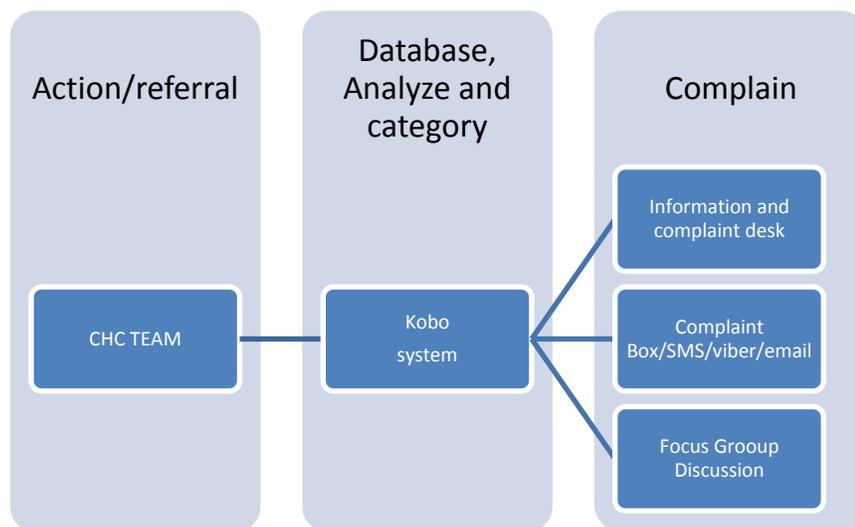
### **3.5 Serious Complaint: CHC at all levels**

- Upon receipt of the complaints from the CFP, the CHC calls for a meeting.
- The CHC assesses the complaint to determine whether it can be handled without investigation.
- The CHC handles the complaints and communicates the redress to the complainant and closes the case.
- In case an investigation is needed, the CHC appoints an investigation team.
- The Investigation team investigates the case following the investigation guideline.
- Upon receipt the investigation report from the investigation team, the CHC handles the complaint and send the results to concerned management for action taken. The flowchart for Serious Complaints handling is provided in the [Appendix 5a](#).

### Complaint receive

LWF team will open all the means of complaint, encourage community to share their concerns/complaints through their convenient means. LWF team will also ensure confidentiality of the complaint.

If the complaint is against LWF staff, the complaint can be sent to upper level focal person. For example, If the complaint against CBIW, can submit to Camp Focal Person (ACCCMO), If the case is against Assistant Officer, can submit to CCCMO, If the complaint against officer can submit to CCCMPC and if the complaint against thematic Coordinator, can submit to Project Coordinator and if it is against PC the submit to Country Representative.



### 3.6 Operational Complaint: handled by Project Management Team/ Management Team

- Upon receipt of an operational complaint, the Project Management Team/ Executive Management Team call for a meeting to handle the complaint.
- In case the concerned management structure can't deal with it, the complaint shall be passed on to upper levels.
- In case the complainant is not satisfied with the decision, the complainant can appeal to a higher level of the LWF Myanmar management structure.

The flowchart for the Operational Complaint is provided in the [Appendix 5b](#).

### 3.7 Communicating the Redress (within 5 working days max)

- Redress of both the Serious and Operational Complaint should be sent to the complainants and the accused (subject of the complaint) in a timely and in appropriate way, but not to witnesses. The Program Coordinator/ Accountability Officer are responsible for the communication.
- Complainant and subject of the complaint shall acknowledge the receipt of the result in the written form.
- Appropriate actions should be taken in timely and appropriate ways.

- The complainant or the subject of the complaint may lodge an **appeal within 30 working days** after receiving the redress. The circumstances in which an appeal may be sought may include the following:
  - One of the parties feels that important parts of the complaint were not investigated
  - More evidence was available but not gathered or certain witnesses that were important to investigate were not interviewed
  - The evidence gathered does not support the investigation conclusions.
- If CHC provides results to concerned management for follow up, senior management must develop an action plan to address and prevent similar situations from occurring in the future. LWF Myanmar management should monitor regularly to ensure that all possible measures have been implemented and are functioning properly.

### **3.8 Deciding whether to investigate and or channeling as appropriate**

The next step is for the Complaints Handling Committee to recommend to the LWF 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. If it is determined that the complaint was not made in good faith, disciplinary measures should be taken.

- Does the complaint relate to a breach of Code of Conduct on Sexual Exploitation and Abuse of Power, or violation of any of the LWF/DWS 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?

Answers to these questions by the Complaints Handling Committee or the relevant decision maker will determine whether an investigation is justified. If so, then investigation procedures should be put in place.

Some complaints may not be as straightforward. The Complaints Handling Committee may refer to any of the following:

- LWF Code of Conduct on Sexual Exploitation and Abuse, Abuse of Power, Fraud, Corruption
- LWF Myanmar Child Protection Policy
- LWF Procurement Policy
- LWF National Personnel Regulations
- Criminal law/litigation
- LWF Investigation Guidelines

### **3.9 Informing the Complainant about the Investigation Outcome**

The outcome of the investigation will be communicated to the Complainant, where possible Within 30 working days after the acknowledgement of the complaint. In case for justifying reasons this timeline is not feasible; the complainant shall be immediately informed.

The Representative is responsible for communicating the outcome of the investigation to the complainant. This could be done in writing.

### **3.10 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 working days upon receipt of the decision. The LWF Representative and the Complaints Handling Committee shall analyze the reasons given and any other new evidences to make a decision whether or not to conduct a new investigation. The appeal shall be considered only once.

### 3.11 Time Allotment on Respective Actions

LWF Myanmar 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.

Action	Time Allotment
Complaint Received	Incident should be reported soonest but can be brought up within 6 months of incident
Acknowledgement of Complaint Received by CHC	Within working 3 days after CHC meeting
Resolution on operational Complaints	Decision within working 7 days after acknowledgement replied.
For Complaints needing further investigation  Resolution of a complaint undergoing investigation	Actual investigation ideally in working 7 days though may vary depending on the nature and complexity of complaint Maximum 21 working days Maximum 30 working days of receipt of complaint by CHC
Appeal process	Within working 30 days of after decision making replied by CHC

## 4. Confidentiality

LWF 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.

- Information should not be disclosed unless the person who has provided the information has given written, explicit consent to disclose the information.
- Particular care must be taken where the complainant’s record contains information provided in confidence by, or about, a third party who is not an LWF employee.
- Disclosure of information provided by a third party outside the LWF also requires the expressed consent of the third party. If the third party objects then the information can only be disclosed where there is an overriding public interest in doing so. It is not appropriate for someone to make this decision on his/her own. Legal or other advice must be sought.

LWF Myanmar shall only allow disclosure when:

- It is required or permitted by law
- It is required by management in the best interest of the organization and parties involved
- If operational complaints are raised regarding partner’s project supported by LWF Myanmar the complaint shall be dealt by special meetings and monitoring visits.

1.1 Data base, Analysis, categorize and consent

All the complaints will be recorded in its system ,analyze the case and categorize the complaint as below<sup>1</sup>:

Category 1	Request for information
Category 2	Request for assistance
Category 3	Minor dissatisfaction with activities – missing some item
Category 4	Major dissatisfaction with activities – quality and quantity, beneficiaries selection process, safety of children/adults, unsafe construction site etc
Category 5	Serious complaints – about abuse or exploitation, fraud or corruption by camp based committees
Category 6	Serious complaints - about abuse or exploitation, fraud or corruption by external actors

Based on nature of case, CHC will take pre consent, ensure confidentiality and protect privacy and dignity of the people.

## 5. Monitoring, Evaluation and Learning from the Complaints Response Mechanism

- CRM shall be monitored. LWF Myanmar’s Program Coordinator shall be responsible for monitoring the LWF Myanmar’s CRM in coordination with the program and project Complaint Focal Points and relevant staff. This will be monitored through liaison with staff at all levels, to promote the philosophy of LWF Myanmar, by integrating in training programs, and by contributing to various means of quality assurance and accountability.
- LWF Myanmar’s CRM will be formally reviewed every **three years**.
- Learning from the complaint and response process is used for the improvement of the organization, program, project development and management and building staff capacity.
- The complaint and response process is reported on a **quarterly basis** as part of the LWF Myanmar quarterly reporting timeline. The report should include the number of complaints received, the number of the complaints closed and any outstanding complaints.
- Mainstream CRM into the LWF Myanmar program development and management.
- Mainstream CRM into the organizational development and management.

### APPENDIEXES:

1. Definition of key terms
2. Complaint Form
3. Complaint Form Envelope
4. Acknowledgement letter
5. Complaint and Response Flowchart
6. Designated e-mail and telephones
7. TOR for Complaint Handling Committee

## 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 LWF/DWS. This could be in relation to program activities or conduct of its personnel, how LWF works with the communities or affected

population and partners, or when LWF/DWS policies and guidelines are not respected. A complaint requires a response .

- **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”.
- **Feedback** is a community/stakeholder/staff inputs which are not due to grievance these are rather suggestions, comments or viewpoints. Positive and negative feedback can be considered, discussed, challenged, used or disregarded, it is not mandatory to respond to feedback. A complaint requires a response whereas feedback does not.
- **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.

**APPENDIEXES: 2: Complaint Form**

**CONFIDENTIAL**

**LWF Myanmar  
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**

1. Name of the person lodging the complaint \_\_\_\_\_ Sex \_\_\_\_ Age \_\_\_\_
2. Address: \_\_\_\_\_
3. Tel: \_\_\_\_\_ email: \_\_\_\_\_
4. Name of the person you wish to lodge a complaint against (if known): \_\_\_\_\_
5. Date of incident \_\_\_\_\_ Time of incident \_\_\_\_\_
6. Place of incident \_\_\_\_\_
7. 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, concern or dissatisfaction** (State what exactly happened, trying to follow the sequence of events from start to finish; If the incident location is not well known, 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) Provide the names of witnesses and where they can be contacted, if known.

**E: State what kind of a response you expect from LWF Myanmar and how you wish to see the matter resolved.**

Name and Signature of Complainant: \_\_\_\_\_

Date: \_\_\_\_\_

Case referred to: \_\_\_\_\_ Date referred: \_\_\_\_\_

Name and signature of LWF Myanmar Staff responding to the Complaints

APPENDIEXES: 3 Complaint Form with Envelope Pattern

<p>This form should be completed by the person wishing to lodge a suggestion. All information must be held securely.</p> <h3>Suggestion Form</h3> <p>1. Name .....          Male/Female..... Age.....</p> <p>2. Address.....</p> <p>3. Phone No. ....          Email .....</p> <p>4. Subject/ Title .....</p>	<h3>We welcome your feedback &amp; suggestions</h3> <p>This suggestion form is supposed to use to suggest improvements of LWF Myanmar program operation, staff performance, any concerns and suggestions about LWF Myanmar that you may have. A feedback can be made through any LWF field offices and suggestion boxes in LWF project implementation areas. LWF Myanmar will keep these messages as confidential ones.</p> <p>(a) Please describe your feedback in detail.          (If you need more space, attach a separate sheet)</p>	<p>(b) State what kind of a response you expect from LWF Myanmar.</p> <p>Please tick one option below. <input checked="" type="checkbox"/></p> <p><input type="checkbox"/> By replying letter.</p> <p><input type="checkbox"/> By phone.</p> <p><input type="checkbox"/> By staff informed.</p> <p><input type="checkbox"/> By holding meeting.</p> <p><input type="checkbox"/> Public Announcement.</p> <p>Name of the Suggested Person .....</p> <p>Submitted Date.....</p>
<h3>Email Addresses and Hotline</h3> <p>Yangon Office:01 -378 078, 01-122 1184          Email Address- comp.mmr@lwfdfs.org          complaint.lwfmyanmar@gmail.com</p> <p>Pyapon Office; 045-410 45          Email Address-aa2.mmr@lwfdfs.org</p> <p>Mindat Office; 070-70594, 092590 44 801          Email Address-aa1.mmr@lwfdfs.org</p> <p>Hpa-An Office; 09-3141 1032          Email Address - aa3.mmr@lwfdfs.org</p> <p>Sittwe Office; 043-230 91          Email Address -afo.mmr@lwfdfs.org</p> 	 <p>Thank you for your complaints &amp; suggestions.</p>	<p><b>For Office Use</b></p> <p>Case referred to.....</p> <p>Date referred.....</p> <p>Staff responding to the suggestion</p> <p>Name.....</p> <p>Signature.....</p> <p>Date.....</p> 

**APPENDIEXES 4: Acknowledgement letter**

	Date:_____
	Ref No:_____
Complainant Name:_____	
Address:_____	

Subject            Acknowledgement letter

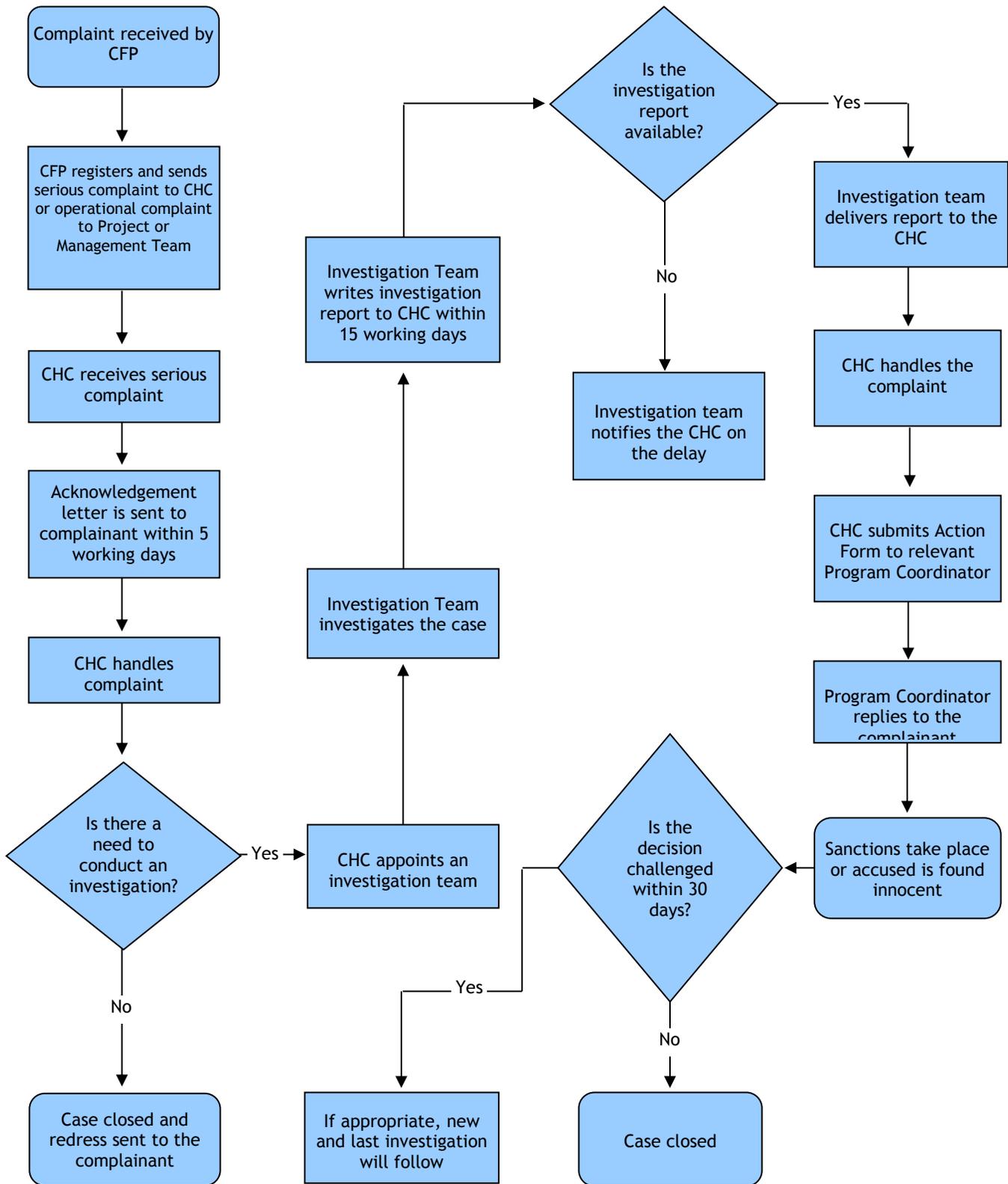
We well received letter ref No: \_\_\_\_\_you sent by mail/post box/in person/phone on Date\_\_\_\_\_from (where).We say thanking you what you wrote and sent it to us. It is very valuable whatever you give us. It is very secure and we'll keep these messages as confidential ones .If any need to know from our side, when will we meet for discussion, we will inform you by our staff.

**Complaints could refer if** the program operation which has negatively affected the communities, the behavior of staff, the quality of program delivery, and abuse of power manifested against those with less social power physically 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, you are warmly welcome to inform us.

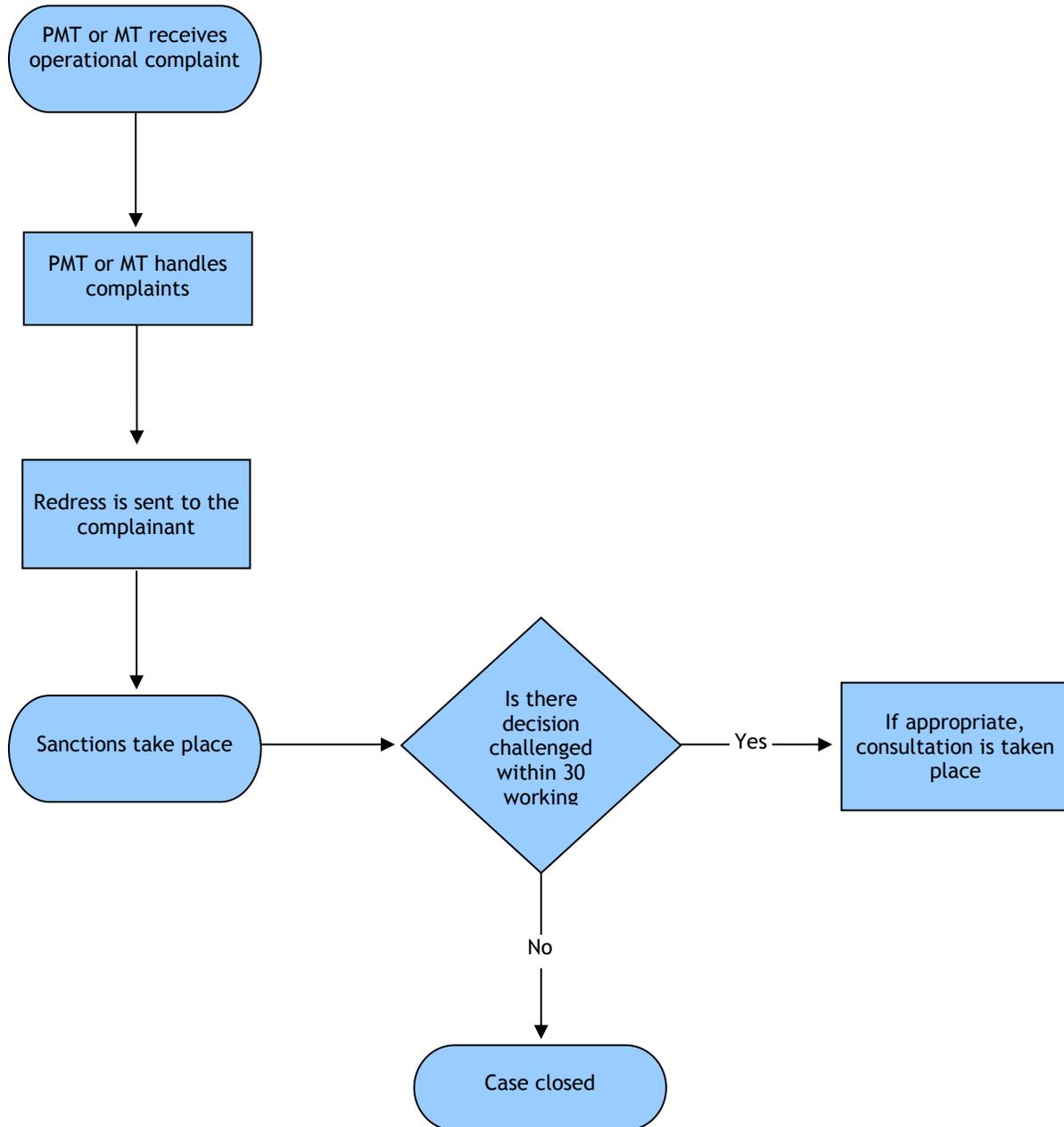
**With regards,**

**Accountability Officer/ Admin &Finance Officer/ CCCM Officer/Assistant Admin &Logistic Officer**

**Appendix 5a: Flowchart for Serious Complaint Handling**



- **Appendix 5b: Flowchart for Operational Complaint Handling**



**Appendix 6: Designated Staffs, Position, E-mails and Telephone Hotlines**

1. LWF Myanmar : Yangon Head office
  - Name : Mr. Kyaw Win Aung
  - Position : Accountability Officer
  - E-mail : [Complaint.Myanmar@lutheranworld.org](mailto:Complaint.Myanmar@lutheranworld.org)
  - Telephone : (+95) 09-793119972 01 378 078, 01 1221184
  
2. LWF Myanmar : Chin Field Office
  - Name : Si Si Sein
  - Position : Finance Officer
  - E-mail : [Complaint.Myanmar@lutheranworld.org](mailto:Complaint.Myanmar@lutheranworld.org)
  - Telephone : (+95) 070 70594, 09 2590 44801,09 36539015-16
  
3. LWF Myanmar : Kayin Field Office
  - Name : Ms.Mya Myint Zu Win
  - Position : Assistant Admin &Logistics Officer
  - E-mail : [Complaint.Myanmar@lutheranworld.org](mailto:Complaint.Myanmar@lutheranworld.org)
  - Telephone : (+95) 09 3141 1032
  
4. LWF Myanmar : Rakhine Field Office
  - Name : Than Than Win
  - Position : Complaint Response Mechanism Officer
  - E-mail : [Complaint.Myanmar@lutheranworld.org](mailto:Complaint.Myanmar@lutheranworld.org)
  - Telephone : (+95) 043 23091
  
5. LWF Myanmar : Ann Field office
  - Name : Ms. Khin Moe Thu Zar
  - Position : Admin &Finance Officer
  - E-mail : [Complaint.Myanmar@lutheranworld.org](mailto:Complaint.Myanmar@lutheranworld.org)
  - Telephone : 09-428078449

**LWF/DWS Geneva Secretariat**

- +46 18 16 9940 or [complaints@lutheranworld.org](mailto:complaints@lutheranworld.org)

Quality Assurance and Accountability Planning Monitoring &Evaluation  
(+46 72 531 1465 ) - [complaints@lutheranworld.org](mailto:complaints@lutheranworld.org)

## Appendix 7: TOR for Complaint Handling Committee

(Referred to 2.5 CHC assigned by LWF Myanmar)

### Mandate

- Complaint Handling Committee (hereafter called CHC) is established to independently handle serious complaints that fall under its responsibility and domains, generally presented in the subsequent sections of this ToR.
- There are three types of CHC: 1) CHC at Program level; and 2) CHC at Project level;3) CHC at village/Camp level.
- Any operational complaint falls under the responsibility of the Project and Management Team.

### Power and Functions

CHC has the following power and functions: eg

- Handle serious complaints
- Appoint investigation team to invest the case
- Seek information related to the case.
- Call in complainant, accused person(s) and witness(es)
- Seek cooperation from relevant stakeholders.
- Make decision on the complaint and proposes action to be taken
- Ensure that redress is delivered to complainant and relevant people on time and in appropriate ways.

### Roles and Responsibilities

- Ensure that LWF Myanmar staff, partner communities and relevant people are introduced to and understand the CRM.
- Ensure that complaints are collected as planned from the established complaint boxes.
- Ensure that all complaints received are registered and studied.
- Ensure that all complaints are assessed properly before handling.
- Ensure that complaints received which do not fall under the responsibilities of the review of CRM

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<sup>1</sup> Managed Camps Complaint Response Mechanisms 16.12.13, CCCM Cluster