



Unified Mechanism for Reporting and Redressal of Complaints and Concerns

1. Introduction

FPA India remains committed to addressing and resolving complaints and concerns raised by all its stakeholders including staff, volunteers, community members, vendors, clients, donors, Consultants, Government, partner organizations and others.

The purpose of the policy is to:

- a) Provide clear guidance on addressing the complaints and concerns received from individual and community members about its programmes and operations including stakeholders, staff, consultants and volunteers.
- b) Outline various modes of submitting a complaint and/or raising a concern.
- c) Ensure that complaints/grievances received are taken seriously and investigated and responded to.
- d) Set out the standards and approaches for dealing with complaints, concerns and whistleblowing reports, in the spirit of accountability, transparency, effectiveness, and fairness.

2. Scope

- This policy defines and clarifies the mechanism for raising (reporting), and responding to complaints, concerns, or whistleblowing reports. It includes the guiding principles that apply to the response.
- This is a unified response mechanism for raising and redressing written complaints related to the following workplace policies:
 - Policy on Prevention and redressal of Sexual harassment
 - Policy on Prevention and redressal of Bullying and Harassment
 - Whistleblower's policy
 - Anti-fraud and Anti-bribery policy
- FPA India will consider all complaints and concerns including anonymous reports. In case, if the complaint is anonymous or is deemed unmeritorious, it may be difficult to investigate such complaints, especially if they are not adequately substantiated.

3. Definitions

- **Complaint or concern** is defined as a written expression of dissatisfaction or statement of concern. This could be in local language. It can relate, for example, to malpractice, misconduct, inappropriate actions taken, or inappropriate behaviour.
- **Complainant** is a person who submits a complaint or raises a concern. They can be either a victim/survivor, concerned/affected person or a whistleblower.
- **Victim/survivor** means anyone alleged to have been directly affected.
- **Respondent** is the person/s against whom a concern is raised or a complaint is reported.

- **Offender** is the person who is found to be guilty of bullying or harassment, inflicting sexual harassment, or committing financial frauds and bribery, after due investigations.
- **Whistleblower** means a person who makes a whistleblowing report.
- **Redressal mechanism** is a formal system through which a lodged complaint is addressed.
- **Malpractice and/or misconduct** includes, but is not limited to, the issues listed below:
 - (a) Financial wrongdoing including theft, bribery, fraud, money laundering and aid diversion;
 - (b) Failure to comply with any legal obligations;
 - (c) Bullying and harassment including sexual harassment, or victimization of a volunteer, or staff member;
 - (d) Abuse or exploitation, including sexual, of children, vulnerable adults or beneficiaries;
 - (e) Breach of FPA India's Code of Conduct
 - (f) Abuse of authority and power
 - (g) Danger to the health and safety of individuals or damage to the environment;
 - (h) Other improper conduct or unethical behaviour;
 - (i) Activity which would bring the organization into serious disrepute;
 - (j) Concealment of information relating to any of the matters listed above.
- **Unmeritorious complaint**
A complaint is unmeritorious when it is frivolous, unsubstantiated or made with a mal intention, is vexatious in nature.
- **Unmeritorious** in relation to a Report means one that does not warrant further investigation or action because it:
 - (a) Is not within the scope of this policy;
 - (b) Concerns matters that have already been addressed under this policy or any other FPAI policy or procedure;
 - (c) Is trivial, obviously lacks substance or appears to have no serious purpose or value;
 - (d) Appears malicious or mainly intended to cause inconvenience, harassment or disproportionate expense to FPAI and or any individuals complained about; or
 - (e) Otherwise appears frivolous, repetitive, unreasonably burdensome or unwarranted.
- **Whistleblowing report** means any disclosure of information made by a person which, in the reasonable belief of the worker making the disclosure, is made in public interest and tends to show one or more of the following:
 - (a) That a criminal offence has been committed, is being committed or is likely to be committed.
 - (b) That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
 - (c) That an injustice has occurred, is occurring or is likely to occur.
 - (d) That the health or safety of any individual has been, is being or is likely to be endangered.
 - (e) That the environment has been, is being or is likely to be damaged; or

- (f) That there is any action or intent against the interests and policies of FPA India.
- (g) That information tends to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

Internal Complaints Committee - HQs – means a set of individuals staff and volunteers of FPAI at the national level. The ICC will be led by the Director General. Other members of the ICC will be two volunteers including one youth volunteer (as nominated by the CEC), two DDGs and DHRL. At least one-half of the ICC members would be women.

Local Complaints Committee (LCC) – means a set of individuals of FPA India at each Branch/ Project (where the office of FPA India entities is situated) duly authorized to conduct the investigation of complaints and concerns under this Policy. A three to five member Local Complaint Committee would be established including following persons:

1. Chairperson of the BSC/PLC
2. Finance Advisor or Vice-Chairperson
3. Two staff members (GMRL/GM/BM/PM/Medical Officer/ PO/ AO/ MEO/ Counsellor) out of which at least one would be a woman.
4. At least half of the LCC members would be women.

The ICC at the HQs and LCC at the Branches/Projects shall hold office for a period of three years. All Branches/Projects are mandated to form this Committee and send the information to HQs on a yearly basis. All Branches/ Projects would create these committees and get these ratified in their BSC / PLC. They would share these names with HQs on an annual basis. Any changes in staff and volunteers involved in the said committee would be intimated to HQs and the resultant vacancy would be filled as per guidelines.

4. Guiding Principles

FPA India is committed to making the process of submitting a complaint as easy and enabling as possible, so that complainants will not be subjected to any detriment, victimization, harassment or bullying as a result of reporting a complaint.

All complaints will be processed, managed and stored in accordance with FPA India's policies on confidentiality and data privacy.

- a) Information about a complaint will be provided only to those people who need to know about it, for the action to be taken. While the identity of the complainant will be kept confidential, the complainant may ideally share his/her identity so that the complaint can be duly redressed and taken to a logical conclusion.
- b) Complaints may be reported to the statutory authority during the course of investigation, as per the legal framework, if required.
- c) Complaints, or concerns raised by a whistleblower to the media, or otherwise to organizations outside the FPA India, may, negate the whistleblower's rights under this policy.
- d) FPA India will acknowledge and aim to resolve complaints consistently, impartially, and in a timely manner.

5. Implementation

This unified mechanism for reporting and redressal of complaints applies to all complaints, concerns and whistleblowing reports. It makes clear the guiding principles that should be adhered to by all who are within the scope of this policy.

This confidential and multi-lingual mechanism is for reporting

- Sexual harassment at workplace
- Bullying & harassment
- Whistleblowers complaints
- Fraud and Bribery
- Other Complaints or concerns

Complaint Procedure

Complaints or concerns could be submitted through various channels such as Complaint boxes, post-cards, letters, or emails received at the FPA India Branches/Projects or Headquarters, google forms linked to the QR code generated for reporting complaints/concerns, and the official website of FPA India.

The identity of the complainant will be kept confidential as far as possible. It is advisable for the complainant to share their identify so that the complaint can be duly redressed and taken to its logical conclusion.

Complaints submitted through any such channels may be forwarded to complaints@fpaindia.org, housed in the HR Department, FPA India Headquarters.

Once received, the complaint will be assigned to the relevant investigation committee as detailed below.

Investigating Committees

Investigating Committees are made up of a set of individuals from FPA India CEC, HQ and from each Branch/ Project (where the office of FPA India entities is situated) duly authorized to conduct the investigation under this UMRCC. While investigating cases of sexual harassment, the committees would include nominated external experts as mandated by the law.

Internal Complaints Committee (ICC) – The **ICC** will be constituted at the HQ, chaired by the Director General (or a senior Woman Employee at the HQs) and the Members are one CEC Representative, two DDGs and DHRL. In case of investigating sexual harassment at workplace the ICC would include two external members - one Legal Expert and one NGO representative. These would be already nominated by the CEC and invited as appropriate. At least one-half of the ICC members would be women.

Local Complaint Committee (LCC) – The LCC will be constituted at the Branch/Project level consisting of following members.

1. One Senior Volunteer will serve as the Presiding Officer. In case of investigating sexual harassment the presiding officer shall be a woman.
2. Two staff members (GMRL / GM / BM / PM / MO / PO / AO / MEO / Counsellor) out of which at least one would be a woman.

At least two members of the LCC would be women.

All cases of Complaints or concerns related to any Branch / Project will be investigated by the LCC. The LCC would inform the ICC at HQs within one working week once such a case is brought to the notice of LCC. All LCCs would be aligned with the ICC and would mandatorily report to the ICC. The LCC will submit its findings and recommendations within two weeks of the enquiry being conducted.

Alternatively, the LCC / ICC can take a Suo-Moto Notice of a written complaint filed by a colleague or an eyewitness to the incident, and initiate investigations.

The ICC shall decide the final action to be taken in consultation with the LCC. ICC would remain the final authority for all complaints/concerns, whistleblowers reports.

Every complaint will be considered on its own merits. Even if someone has submitted a frivolous or vexatious complaint in the past, it must not be assumed that any future complaint they submit will also be frivolous or vexatious.

A decision not to proceed with the investigation of a complaint will be taken in accordance with FPA India's established internal procedures in force at the relevant time.

- a. The complaint should be made within a period of six months from the date of occurrence of incident and in case of a series of incidents, within a period of six months from the date of the last incident.
- b. The ICC may, for the reasons to be recorded in writing, extend the time limit for making a complaint. if it is satisfied that the circumstances were such which prevented the Complainant from filing a complaint within the said period.
- c. On receipt of a Complaint, the ICC or LCC as the case may be, shall investigate the complaint. This process includes taking in written statements, calling for and examining Respondent, witnesses and documents/records and reaching a decision and making recommendations to ICC. In case the ICC receives a direct Complaint from a complainant, it can decide to conduct the investigations directly or delegate it to LCC.
- d. At the first instance, the Complainant may be provided immediate support like special leave, transfer to other department and /or counselling, or any other support as required. This will be the choice of the Complainant. Care must be taken to ensure that the Complainant is safe.
- e. The Respondent could be asked to go on leave / suspended depending on the nature of the offence and the likelihood of their affecting the results of the inquiry.
- f. During the course of the inquiry, in case, the Respondent resigns or leaves or ends their association with the organization, before the conclusion of the inquiry, the inquiry will be completed.

FPA India would create a detailed 'Incident Report' and would put it on record. This report will be placed in their service dockets and will be recorded in the BSC/PLC/SMT meeting minutes, as the case may be. This information would be made available in case a reference is sought from FPAI regarding the said individual.

- g. In case the respondent is a volunteer, the FPA India Constitution clauses as applicable would be used to take further action. The BSC may recommend disciplinary action to the CEC or the CEC may take appropriate decision and inform the BSC as the case may be.
- h. The procedure would ordinarily be concluded within Forty-Five (45) working days of the receipt of the Complaint by the LCC and shared with the Internal Complaints Committee. In case the time period exceeds, the same will be clearly explained in the Final report submitted to the Internal Complaints Committee.
- i. The ICC shall review the inquiry report along with the evidence and Recommendations. ICC shall take a final decision regarding further action and shall inform the LCC accordingly. If required, the ICC is empowered to ask for additional information and / or conduct independent investigations. This should be preferably completed within Forty-Five (45) working days. However, the ICC may take a decision to extend this period as required.
- j. Investigation or inquiry into complaints of sexual harassment shall be conducted with due respect to the rights of both the Complainant and the Respondent. The entire process shall be impartial and without any bias for or against any party.
- k. FPA India stands committed to maintain the confidentiality of all persons and proceedings at all times. To ensure confidentiality, FPA India has ensured that the Presiding Officer/Chairperson and all the Members of the ICC and the Branch / Project LCC have signed Confidentiality Agreement which are strictly binding. The importance of confidentiality would be emphasized to the witnesses as well.
- l. The Complainant, would also become part of the confidentiality process and preferably should not discuss the issue with other persons except where it is necessary for substantiating the complaint or otherwise to secure a fair investigation into the complaint, etc.
- m. Breach of confidentiality provisions by anyone who has signed the confidentiality agreement(s) and who are involved in the investigation process would render them liable for disciplinary action.
- n. In case where the GMRL/GM/ BM/PM or a member of the LCC or a member of the BSC/PLC/Ad-hoc Committee or one of the office bearers are themselves the perpetrator, and the BSC/PLC/Ad-hoc Committee or the Chairperson receives a verbal and/or written complaint, this must be informed to the ICC immediately by any one of the LCC member in writing. Thereafter, the ICC shall frame the guidelines for further action.
- o. In case a complaint against a member of ICC is received, the Central Executive Committee of FPA India shall decide on the team composition for investigating the same.
- p. ICC would be the final authority in dealing with and resolving all types of complaints. ICC would report all its findings and decisions to the SMT for onward transmission to the Central Executive Committee.

Disciplinary Action

If the result of the enquiry holds the Respondent guilty or if the result of the enquiry holds that the complaint filed by the Complainant is false, the LCC can recommend disciplinary actions to the ICC which may include, but may not be limited to the following -

- Written warning - a letter by the CEC or SMT or supervisory officers, as the case may be,

will be issued to the offender and duly recorded.

- Further, if the offender is a staff member,
 - Confidential report (CR) - a paragraph in their Personal docket of will be mentioned
 - Their annual increment may be withheld.
 - Their contract may be terminated with immediate effect, or they may be served six months' notice, as the case may be. During this notice period, a time frame to correct their behavior may be given to them.
 - If the offender does not change their behavior, their contract may be terminated.

In case if the offender is a consultant their assignment may be immediately terminated.

In case if offender is a volunteer, their membership may be terminated as per FPA India constitution (Rule B: 1.5.c)

Even if the complainant may fail to substantiate their complaint, the complaint may not necessarily be false. The ICC / LCC is mandated to inquire into every complaint.

Record Keeping and Reporting

Records of all complaints received, investigated and resolved will be kept confidential.

The authorized officials at the Headquarters or Branches/ Projects as the case may be, are responsible for the quarterly and annual reporting on the statistics of the cases.
