

Caritas Internationalis Complaints Handling Mechanism Policy and Procedure

Part One: Complaints Handling Policy

1.1. Introduction

As a core organisation of the Catholic Church, Caritas Internationalis Vision, Mission and Values promote our belief and commitment to a world where every individual's rights and dignity are respected. To ensure that Caritas Internationalis is fully accountable to all its constituencies, members adhere to the CI Code of Ethics and staff to the Code of Conduct of their respective organisations. We ensure that the people we serve and accompany, communities, partners, volunteers and staff are able to communicate any perceived shortcomings, concerns or misconduct through appropriate, safe, accessible and confidential channels. This mechanism enables Caritas Internationalis to fully close the accountability circle by identifying potential gaps and shortcomings in its delivery and relationship with the people it serves.

Caritas Internationalis is committed to strengthen its culture of responsibility that prevents these wrongdoings and abuses through works on prevention and training, and to screen better when recruiting staff and volunteers. It is also committed to redress the damage done through false accusations.

Caritas Internationalis, as part of an-going move to improve accountability towards all those it serves, individuals and communities, has established for its general secretariat a Complaints Handling Mechanism (CHM) that is user-friendly, safe and accessible, but is also simple, efficient and effective and does not create undue burden. It will also develop a pastoral care of the victims.

This policy is applicable to Caritas Internationalis general secretariat staff¹ and associates² and staff seconded through Caritas Internationalis mandated support mechanisms. Caritas Internationalis CHM does not replace individual complaints handling mechanisms that member organizations already have in place. It provides an alternative and complementary channel for managing complaints that can be activated in predetermined circumstances and when certain conditions are met. Caritas Internationalis recognizes that the responsibility to handle complaints remains with member organizations.

The aim of this policy is to:

- encourage all improper, unethical or inappropriate behavior to be identified and challenged at all levels of the organization;
- ensure anyone aware of a wrong-doing is supported in total confidence in reporting matters they suspect may involve anything improper, unethical or inappropriate;
- provide clear procedures for the reporting of such matters;
- manage all disclosures in a timely, consistent and professional manner;

¹ Staff refers to all staff, volunteers, interns and Board members.

² Associates refers to consultants and contractors.

- provide assurance that all disclosures will be taken seriously, treated as confidential and managed without fear of retaliation.

1.2. Scope and limitation of the policy

A complaint is an expression and a statement that something is unsatisfactory or unacceptable vis-a-vis the prescribed standard of quality work or is related to the actions taken or lack of action by staff or associates that directly or indirectly cause distress to the affected party.

What complaints can be made:

Allegations of breaches in Caritas Internationalis Code of Conduct, Code of Ethics and Children and Vulnerable Adults Safeguarding Policy by general secretariat staff in relation to financial impropriety, corruption, fraud, sexual exploitation and abuse, and not ensuring child safeguarding.

Anonymous complaints:

We recognize that it can be difficult in some circumstances to speak out openly. Therefore, Caritas Internationalis will accept and handle anonymous complaints with caution if there is *sufficient information* to clarify the issues, substantiate claims and investigate allegations properly.

Malicious complaints:

When the investigation finds that an accusation was deliberately made falsely and with the aim of causing harm, and if the complainant is a staff of Caritas Internationalis, appropriate disciplinary action will be taken including dismissal. Reporting which proves to have been made maliciously will be viewed as a serious disciplinary offense. If the identity of the person against which the malicious accusation was made publicly known, Caritas Internationalis will take due care to rehabilitate and restore their reputation.

Complaints against member of the clergy or religious congregations:

Complaints made against staff and associates that are members of the clergy or religious congregations are dealt with in coordination with the religious order of belonging or the competent Bishop.

What complaints will not be processed:

Complaints related to member organizations staff grievance, performance issues, employment and labour matters, hostile work environment, harassment on the workplace are dealt exclusively by member organizations through appropriate country legislation and HR policies and procedures (HR Handbook, grievance policy).

1.3. Who can make a complaint under this policy

1. Anyone who is impacted by activities carried out by Caritas Internationalis general secretariat. Complaints received by Caritas Internationalis general secretariat against a member organization will be referred back to the member organization for follow-up and action.
2. Caritas Internationalis general secretariat staff and associates
3. Member organizations staff and associates
4. Donors, public

1.4. Reporting obligation

Any staff or associate who has knowledge or suspicion of a potential breach of the Caritas Internationalis Code of Conduct, Code of Ethics or the Children and Vulnerable Adults Safeguarding Policy has an obligation to report the concerns. Not complying with this rule leads to disciplinary action.

1.5. Key areas and types of complaints

Key areas of possible complaint may include, but are not limited to:

1. Behaviour or conduct of Caritas Internationalis general secretariat staff and associates
2. Behaviour or conduct of member organization staff and associates
3. Financial improprieties such as misuse of funds, fraud or corruption
4. Harassment, including sexual exploitation and abuse
5. Emotional abuse such as intimidation, humiliation, bullying and mobbing

1.6. Confidentiality

All complaints, whether sensitive or non-sensitive will be handled in a confidential manner. In some cases, it may be necessary to disclose information to third parties. This will be decided on a case-by-case basis and, as far as possible, with the agreement of the complainant. These two types of complaints need to be handled in different ways taking into consideration specific requirements and any risks to parties involved.

Confidentiality is paramount to guarantee safety to complainants, whistle blower, witnesses and subjects of complaints. Information with regards to complaints and related investigations should only be shared on a need-to-know basis, clearly identified for each case. In case of breach of confidentiality, Caritas Internationalis may take disciplinary action, except when:

- Disclosure is required by law
- Disclosure is required by management in the best interest of all parties involved
- Disclosure is needed in order to obtain specific expertise (medical, legal, other)

Complaints that indicate a possible criminal offence has been committed should be referred by Caritas Internationalis general secretariat to the authorities responsible for investigating such matters.

1.7. Working with member organizations

Caritas Internationalis general secretariat recognizes that the primary responsibility to handle complaints is with member organizations. Caritas Internationalis general secretariat will strategically and consistently encourage member organizations to develop their own complaints handling mechanism by:

- Providing support to member organizations for setting up contextualized CHM and raising awareness on expected behavior and channels for complaining
- Providing support to member organizations for capacity building with regards to investigations
- Encouraging members with stronger CHM and PSEA (Prevention of Sexual Exploitation and Abuse) experience to act as champions towards other members through a coordinated and harmonized system of support

Part Two: Complaints Handling Procedure

2.1. Receiving a complaint

Formal complaints should be made in writing or via e-mail to Caritas Internationalis Complaints Handling Officer (CHO) or using the Caritas Internationalis hotline.

If a complaint is received by telephone or in person, but cannot be dealt with at the time of the conversation, the complainant must be made aware of the Caritas Internationalis CHM including the possibility of making an anonymous complaint. The complainant decides whether to formally submit a complaint or not.

Complaints submitted to Caritas Internationalis general secretariat will be opened only by the CHO. The complainant will receive notice of receipt within one week.

2.2. Recording the complaint

Complaints will be recorded onto an internal Caritas Internationalis system. It will have restricted staff access, and will support complaints being logged on receipt, actions tracked and outcomes recorded.

2.3. Processing the complaint

It is the responsibility of the CHO to preliminarily assess the type and nature of the complaint and recommend the most appropriate course of action to be undertaken. This will be reviewed and approved by the Complaints Handling Committee (CHC). Sensitive complaints will be dealt with as per the procedure set forth in art. 2.4. The roles and responsibilities of Caritas Internationalis general secretariat, regional secretariats and member organizations will be determined at that stage.

As a general rule:

1. Complaints against Caritas Internationalis General Secretariat staff and associates will be dealt at the level of the General Secretariat and by the CHO directly.
2. Complaints against those deployed through Caritas Internationalis mandated support mechanisms will be coordinated as appropriate with the seconding Caritas organization. The seconding Caritas organization has the primary responsibility to appropriately investigate the complaint while Caritas Internationalis general secretariat retains the right to oversee the investigation.
3. Complaints that involve Caritas member organizations that do not have the capacity to process the complaint will be assessed on a case-by case basis. If necessary and when requested by the concerned member organization, Caritas Internationalis general secretariat will work together with the member organization in carrying-out the investigation while simultaneously strengthening their internal procedures and capacities to deal with complaints.
4. If a member organization is unwilling to act upon the complaint, Caritas Internationalis Secretary General will promptly inform the relevant Bishops' Conference so that the adequate investigation can take place.
5. Complaints that involve more than one Caritas member organization will be coordinated with the relevant Caritas member organizations. Caritas Internationalis general secretariat may assume a facilitating role to assure a transparent, impartial and consistent course of action.

When a complaint is handed back to the member organization, the member organization will within thirty days report to Caritas Internationalis general secretariat on determination of the breaches and action plan, investigation plan and, if needed, request the general secretariat support.

2.4. Sensitive complaints

Sensitive complaints will be immediately referred to the Caritas Internationalis Secretary General. The Caritas Internationalis Secretary General and the CHO will make the first screening and assessment of the complaint and agree the most appropriate course of action. Complaints contemplating allegations of sexual exploitation and abuse will be shared by the CHO only with the Caritas Internationalis Secretary General, those relating to financial improprieties will also be shared with the Caritas Internationalis Financial Manager and the Treasurer. The seriousness of the complaint will determine how the investigation should be conducted. Details will be shared on a strictly need to know basis.

Sensitive complaints that contemplate a gross violation of the Caritas Internationalis Code of Conduct, Caritas Internationalis Code of Ethics, CI Children and Vulnerable Adults Safeguarding Policy and that refer to member organization staff³ or associates⁴ will be communicated by the Caritas Internationalis Secretary General to his/her equivalent in the member organizations.

These complaints follow the strict rule of confidentiality and need-to-know basis. The CHO will provide the CHC only the essentials of the complaint i.e. the nature of the complaint, the course of action decided and, when ready, the outcome of the procedure. No details will be shared with the CHC regarding the names of the complainant, accused, victim, witnesses or whistle blowers.

2.5. Investigation process

The CHO will have the primary responsibility to coordinate the investigation. Investigations will be carried out confidentially and only persons that need to know about the complaint will be involved in the process. Complex sensitive complaints will be investigated by external qualified experts from a preselected and verified pool of investigators. The CHO will identify the most qualified expert investigator based on the nature of the complaint, geographic location and language requirements.

Timeframes for completing the investigation vary depending on their complexity. The aim is to conclude it within the shortest reasonable time ideally not exceeding sixty days from receiving the complaint. The final report will be shared with the CHC for review and approval.

The decision on the type of action to be undertaken at the completion of the investigation process will be taken by the Secretary General, or if s/he is the one accused, by the President of Caritas Internationalis.

Costs associated with investigations initiated as a result of complaints against Caritas Internationalis general secretariat staff and associates will be covered by the Secretariat.

Costs associated with investigations initiated as a result of complaints against those deployed through Caritas Internationalis mandated support mechanisms will be covered by the member organization(s). Should this not be possible, alternative funding sources will be explored.

2.6. Communicating outcomes

The CHO will provide feedback to the complainant and those involved in the complaint as appropriate.

In case of a sensitive complaint, the complainant, unless he is at the same time the victim, has no "right" to know the outcome of the investigation. The CHO will provide the complainant with the information whether the complaint has been substantiated or that the complaint is not substantiated. No other information or detail will be disclosed.

³ Staff refers to all member organizations staff and board members and those deployed through Caritas Internationalis mandated support mechanisms

⁴ Associates refers to consultants, volunteers, interns and contractors in service to member organisations

2.7. Appeals procedure

Caritas Internationalis wishes that any complaint be resolved in a satisfactory fashion for both the complainant and the organization. If the complainant does not feel satisfied with the outcome s/he can appeal to the Caritas Internationalis Secretary General or the Caritas Internationalis President through the CHO. This can be done in writing, by letter or email, to the following address:

Caritas Internationalis
Piazza San Calisto 16
00120 Vatican City
CHO@caritas.va

Approved by the Representative Council on 29 November 2018

Terms of Reference

Caritas Internationalis Complaints Handling Committee

1.1. Background

Caritas Internationalis, as part of an on-going move to improve accountability towards all those it serves; individuals and communities, and member organizations, has established a Complaints Handling Mechanism (CHM) that is user-friendly, safe and accessible, but is also simple, efficient and effective and does not create undue burden.

The Complaints Handling Policy and Procedure is applicable to Caritas Internationalis General Secretariat staff, board members, volunteers, interns, consultants, contractors, and member organizations staff seconded through Caritas Internationalis mandated support mechanisms. Caritas Internationalis CHM does not replace individual complaints mechanisms that member organizations already have in place. It provides an alternative and complementary channel for managing complaints that can be activated in predetermined circumstances and when certain conditions are met. Caritas Internationalis recognizes that the primary responsibility to handle complaints remains with member organizations.

Together with the Complaints Handling Officer (CHO), the Complaints Handling Committee is instrumental to ensure that all complaints received through the Caritas Internationalis CHM are dealt with according to agreed procedure and guidelines.

1.2. Objective

To support the Complaints Handling Officer in making appropriate decisions on complaints received through the Caritas Internationalis CHM, in accordance with agreed procedures and guidelines.

1.3. Composition

The Complaints Handling Committee is composed as follows:

1. The Complaints Handling Officer;
2. One Caritas Internationalis Board member;
3. The Caritas Internationalis Secretary General;
4. The Ecclesiastical assistant of Caritas Internationalis.

Members of the CHC are nominated by the Secretary General of Caritas Internationalis in consultation with the CHO and the Human Resource Manager.

1.4. Responsibilities

The CHC is responsible to:

- review the complaint and approve the course of action proposed by the CHO or suggest an alternative one if applicable;
- review and approve the final investigation report or seek additional information if applicable;

- request an independent investigation following reports which are not deemed satisfactory and/or are not reconsidered for revision by the member organization involved;
- recommend appropriate disciplinary actions, if applicable.

The final decision is taken by the Secretary General.

1.5. Confidentiality

Members of the CHC are bound to treat all information received with utmost confidentiality. Breach of confidentiality leads to immediate suspension and the application of an adequate disciplinary measure.

1.6. Sensitive complaints

Sensitive complaints follow the strict rule of confidentiality and need-to-know basis. The CHO will provide the CHC only the essentials of the complaint i.e. the nature of the complaint, the course of action decided and, when ready, the outcome of the procedure. No details will be shared with the CHC regarding the member organizations involved, the names of the complainant, accused, victim, witnesses or whistle blowers.

1.6. Meetings

The CHO is responsible to organise the meetings of the CHC. CHC members are required to prioritise their participation in meetings to make sure that complaints are dealt with in a timely manner.

1.7. Duration

CHC members are appointed for a duration of two years. They can be renewed for another two years by the Caritas Internationalis Secretary General in consultation with the CHO.

Caritas Internationalis Complaints Handling Officer (CHO)

Job Description

1.1. Background

Caritas Internationalis, as part of an on-going move to improve accountability towards all those it serves; individuals and communities, and member organizations, has established a Complaints Handling Mechanism (CHM) that is user-friendly, safe and accessible, but is also simple, efficient and effective and does not create undue burden.

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The Complaints Handling Officer (CHO) position is instrumental to ensure that all complaints received through its CHM are dealt with according to agreed procedure and guidelines.

The CHO will be the executive secretary of the Handling Committee (CHC) and will be in charge of initiating a session with the CHC when a complaint needs to be reviewed and followed.

1.2. Objective

To ensure that all complaints received through the Caritas Internationalis CHM are dealt with in a timely and fair manner, in accordance with agreed procedures and guidelines.

1.3. Functional Responsibilities

Under the guidance of the Secretary General:

- Receive and acknowledge complaints in a timely manner;
- Screen and assess the type and nature of the complaint and recommend the most appropriate course of action to be undertaken;
- Coordinate meetings with the Complaints Handling Committee;
- Refer complaints relating to sexual exploitation and abuse to the Caritas Internationalis Secretary General;
- Coordinate and facilitate investigations;
- Provide feedback to the complainant and those implicated in the complaint as appropriate;
- Ensure confidentiality at all times;
- Identify external qualified experts to investigate complex sensitive complaints;
- Ensure that member organisations to whom complaints are handed back report on the outcomes of the investigation to Caritas Internationalis in a timely manner;
- Set-up an internal complaint recording system, enter and track all complaints received and ensure proper documentation of responses and outcomes are recorded in the system;

- Support Caritas member organisations to strengthen their internal procedures and capacities to deal with allegations of abuse and exploitation;
- Ensure that Caritas Internationalis staff, board members, volunteers, interns and contractors are adequately oriented on the Caritas Internationalis CHM;
- Identify Member Organisations with CHM and PSEA experience to act as champions towards other members;
- Work with Caritas Internationalis Communications to develop safeguarding messages;
- Ensure that information about how and where to complain is kept up to date and available on the Caritas Internationalis website and on Baobab in English, French and Spanish

1.4. Experience

- Substantial experience in leading on the investigation of complex complaints and drafting high-level reports;
- At least 5 years' experience in similar positions;
- Excellent knowledge of the Caritas Confederation;
- Proven experience in training design and delivery.

1.5. Skills

- Ability to rapidly assimilate a range of complex information and make expert judgements;
- High level of accuracy and attention to detail;
- High level communications skills;
- Ability to deal with conflicting demands ensuring key priorities and deadlines are met through effective time management;
- Strong understanding and ability to apply international standards on protection and accountability;
- Excellent verbal and written communications skills in English; fluency in French and/or Spanish is an asset

1.6. Duration of the assignment and duty station

- Two years, renewable
- The Complaint Handling Officer is based in the Caritas Internationalis General Secretariat in Rome

1.7. Reporting lines

Direct: Caritas Internationalis Secretary General

If the complaint is against the Secretary General, then the Complaint Handling Officer reports to the President.

The Complaint Handling Officer will have a close working relationship with the Caritas Internationalis Human Resources Manager and Legal Advisor.