

The SMC's guidelines for complaints management and whistle blowing

Adopted by the SMC board 08-12-2016

1. Introduction

The Swedish Mission Council works to attain high standards in the development and humanitarian measure we support, which includes assuming responsibility in relation to our stakeholders. We have therefore developed a system to enable formal complaints to be submitted simply and securely. These guidelines are intended to describe the complaint management system.

The SMC views all complaints as important and considers that they form part of our learning and development processes as an organisation and enable the avoidance of mistakes in the future.

SMC's guidelines for complaints management are subordinate SMC's anti-corruption policy that says that anyone who suspects, or has detected, corruption (regarding funding from SMR) should always inform SMC.

The SMC's complaint management system can also provide a whistle-blowing function in which the SMC's employees and those working for member organisations and partner organisations can in certain circumstances draw the attention of the SMC or its board to irregularities and anomalies directly, see page 6 below.

2. When can complaints be submitted to the SMC?

Complaints can be submitted when the SMC fails to live up to commitments that we have undertaken as an organisation. Individual complaints should therefore deal with shortcomings in our execution of these undertakings. If a complaint does not concern any of the undertakings listed below, we regard it as a general observation or a proposal and it will not be dealt with as a formal complaint.

The SMC has the following formal undertakings:

- That while working for the SMC its staff and elected representative as well as consultants hired by the SMC will comply with the SMC's Code of Conduct.

- To comply with cooperation agreements and project agreements it has reached with member organisations.
- To comply with the framework agreement with Sida and with other funding bodies.

3. Who can submit complaints?

Member organisations (MO) and funding bodies

The SMC's complaint management system is primarily intended to enable our member organisations and the SMC's funding bodies to submit complaints if the SMC and its personnel fail to comply with the formal undertakings described above, i.e. to comply with the Code of Conduct and agreements.

Implementing partner organisations (PO)

It is also possible for implementing partner organisations to submit complaints if the SMC's staff and elected representatives working for the SMC or consultants hired by the SMC do not comply with the organisation's Code of Conduct.

4. How to submit complaints through the Complaints and Response Mechanism (CRM)

Complaints can be submitted in the following way:

- Use the SMC's Complaints and Response Mechanism form, which can be found on our website www.smc.global.
We recommend this method of submitting complaints to enable us to acquire the information needed for an investigation and so that we can both provide a correct response and implement any changes that may be required in our organisation. If a complaint is confidential this must be stated on the form.
- Send an e-mail to complaint@smc.global

5. Complaint management

The SMC has developed routines for dealing with complaints and suspicions of corruption and for disciplinary measures in the organisation. These are described in a document entitled *SMR:s handlingsplan för antikorrupsionsarbete - förebyggande arbete och hantering av avvikelser och klagomål samt korrupsionsmisstankar* [The SMC's action plan for anti-corruption procedures, preventive measures and the management of anomalies and complaints as well suspicions of corruption]. Routines for disciplinary measures involving the SMC's own personnel are described in the organisation's Code of Conduct.

6. Who is responsible for managing complaints?

The SMC officials responsible anti-corruption receive and register cases and send a brief message to say that it has been received. The case is then forwarded to the SMC management team where responsibility for dealing with complaints is allocated as follows:

- The HR strategist deals with complaints that concern the conduct and actions of the SMC's personnel. This includes primary responsibility for investigating the occurrence, drafting a response to the complainant and proposing how the work of the organisation should be developed to avoid future complaints of the same kind.
- The official responsible for development cooperation deals with complaints that concern compliance with agreements. This includes responsibility for investigating the case, drafting a response to the complainant and proposing how the work of the organisation should be developed to avoid future complaints of the same kind.
- The SMC official responsible for anti-corruption deals with complaints in which there are allegations of corruption against a member organisation or a partner organisation. This includes dialogue with the member organisation about how the case should be handled and investigated and drafting a response to the complainant.
- The SMC's board deals with complaints and information about allegations of corruption or abuse of power against the SMC's management team. The main responsibility for investigation and measures rests with the Chairperson of the board.

Those who submit formal complaints are to receive a response within four weeks.

7. Secrecy and no-reprisals policy

The SMC must distinguish between confidential and non-confidential complaints against it, but all complaints are to be handled with caution. Our policy on secrecy and no-reprisals is that nobody submitting a complaint must risk any form of reprisal or any other negative consequences.

Confidential complaints

In all of the following cases the SMC is to deal with complaints and allegations of corruption and abuse of power in confidence. This applies irrespective of whether the complainant has requested secrecy or not:

- Complaints that concern allegations of corruption

- Complaints that concern allegations of sexual assault
- Complaints that concern serious misconduct
- Complaints involving investigations that could lead to disciplinary measures or prosecution

In these cases every effort is to be made to maintain the confidentiality of the identity of the complainant. Circumstances may, however, arise which because of the type of case and its investigation make it necessary to divulge the complainant's identity, for example during judicial investigations or procedures. If the SMC considers that such circumstances apply, the complainant is to be informed. If the complainant is required to take part in an enquiry or legal proceedings, the fact that he or she is the individual who made the original allegation is, as far as is practically possible, to remain confidential and all reasonable measures taken to protect the individual from any possible reprisals or harm in consequence of the allegation.

To avoid jeopardising a potential investigation into alleged irregularities, the complainant must also ensure that the fact that she or he has raised the issue, what kind of issue it is and the identities of those involved remains confidential. Confidential cases are to be handled by as small a group of members of the SMC's management team as possible. The organisation's Secretary General and HR officials deal with cases that involve sexual assault.

Non-confidential complaints

Non-confidential complaints are normally those categorised by the SMC as not sensitive, mainly complaints about shortcomings in compliance with agreements. Nevertheless, we deal with all complaints with great caution and complainants may always request that their case be dealt with confidentially. The management team can also decide that a complaint is to be dealt with confidentially. The SMC views all complaints as if they are information that has been submitted to the organisation in confidence.

8. The SMC's whistle-blowing system

Individuals who draw attention to irregularities in their own organisations are referred to as whistle-blowers. These involve circumstances that are unsatisfactory, irregular or reprehensible, such as corruption or other forms of crime and which are not taken seriously or dealt with by the organisation's management.

The SMC's own personnel

The SMC's own personnel can submit complaints directly to the chairperson of the organisation if the organisation's management do not take complaints or warnings about irregularities seriously. This is categorised as whistle-blowing.

If SMC's management does not take the whistle-blower seriously and act, the SMC employee can report directly to Sida.

Personnel in member organisations (MO)

If employees in a member organisation suspect that there are irregularities in their own organisation this should first be reported to the management of the member organisation in the way laid down in its own system for dealing with suspicion of corruption and complaints or for whistle-blowing. If the suspicions concern the management of funds from the SMC and the member organisation fails to take them seriously and take action, this can be reported to the SMC, which will categorise it as whistle-blowing. Irregularities that concern their own staff are the legal responsibility of the member organisations, but the SMC can decide to take action on the grounds of its ethical responsibility.

Personnel in partner organisations (PO)

If employees in a partner organisation suspect that there are irregularities in their own organisation, this should first be reported to the management of the partner organisation in the way laid down in its own system for dealing with suspicion of corruption and complaints or for whistle-blowing. If the suspicions concern the management of funds from the SMC and the partner organisation fails to take them seriously and take action, the suspicions should be reported instead to the funding member organisation in Sweden. If the member organisation does not take the suspicion seriously either, it should be reported to the SMC, which will categorise it as whistle-blowing. Irregularities that concern their own staff are the legal responsibility of the partner organisations, but the SMC can decide to take action on the grounds of its ethical responsibility.

9. How warnings about irregularities, whistle-blowing, can be submitted

Whistle-blowing can take the following forms:

- Use the SMC's Complaints and Response Mechanism form, which can be found on our website www.smc.global.
We recommend this method to enable us to acquire the information needed for an investigation and so that we can both provide a correct response and implement any changes that may be required in our organisation.
- Send an e-mail to complaint@smc.global
- If one of the SMC's employees wants to submit information about suspicions of corruption or abuse of power in the organisation itself, this should be

submitted to the Chairperson of the SMC at the e-mail address
eva.nordenstam@lakarmissionen.se

- In case that SMC's management does not take up suspicions seriously and act, an employee in SMC should be reported to Sida on the e-mail address
investigation@sida.se

Whistle-blowing is always considered confidential and is dealt with in the way described under heading 7. Secrecy and no-reprisals policy.

Warnings about irregularities are dealt with in the same way as complaints as described under heading 5. Complaint management. The responsibilities for taking action and dealing with warnings about irregularities are structured as described under heading 6. Who is responsible for managing complaints?

10. Updating these guidelines

The SMC works continuously to develop the system for submitting complaints to the SMC and reporting irregularities through whistle-blowing. This includes development of the entire system all the way to the final beneficiaries. These guidelines will be updated on the basis of continuous development work.

The SMC welcomes the opinions of member organisations, partner organisations and other stakeholders on its system for managing complaints and whistle-blowing and how it can be developed.

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