



Policy for Complaints Handling for PMU's Development Cooperation and Humanitarian Aid¹

Adopted by PMU Management Team March 20, 2020.

1. Introduction

Formal mechanisms for complaints and redress are an essential component of an agency's accountability and give communities involved in development cooperation and humanitarian aid some element of control over their lives. PMU emphasizes quality and accountability in our development cooperation and humanitarian aid and strives to promote accountability to the people we cooperate with and aim to assist through our partner organisations.

A complaint contains a specific grievance and can alert an organisation to serious misconduct or failures in the response, allowing them to take timely action to improve quality. All organisations are susceptible to fraud or abuse of power and a complaints system can help us as an organisation to recognize and respond to malpractice, manipulation and exploitation.

PMU wants to enable stakeholders and right-holders to raise formal complaints² and receive a response through a safe, accessible and effective process. This policy document explains the way in which PMU handles complaints related to our development cooperation operations and humanitarian interventions which we support.

Complaints described in this policy can only be used by persons not employed by PMU, while for PMU staff, both in Sweden and at regional offices, there are policies for grievance procedure and whistleblowing³. The PMU whistleblowing and grievances policies offers assurance of protection to PMU staff who highlight concerns about PMU systems, programs and activities or the behaviour of colleagues.

2. The aim of PMU's Complaints Handling System

- improve our accountability to our partners and beneficiaries
- ensure the respect and dignity of those wishing to raise an issue, concern or complaint about PMU
- raise awareness amongst partners, beneficiaries and other stakeholders' right to raise concerns and complaints with PMU
- protect and guide PMU staff in handling complaints

¹ This policy is harmonized with *PMU's System for Handling of Projects with deviations* and *PMU's Anti-corruption Policy*.

² *Complaint* – a formal expression of dissatisfaction or discontent about something. Requires a response.

³ Please refer to PMU Whistleblowing Policy and PMU Grievance Procedure Policy

- allow us to rectify mistakes
- alert us to problems in our work
- help us to continuously learn and improve
- strengthen the relationship between PMU and our partners
- improve the effectiveness of our work
- ensure that partners, communities and people being part of a PMU-funded effort, including vulnerable and marginalized groups, are aware of the existence of a complaints response mechanism established for their use.
- ensure that partners, communities and people being part of a PMU-funded effort consider the complaints response mechanism to be accessible, effective, confidential and safe.
- ensure that complaints are investigated, resolved and results fed back to the complainant within the stated timeframe

PMU will promote the need for a complaints response mechanisms with implementing partners and will provide support to them in developing such mechanisms.

Nothing in this policy should be understood as taking away the right of any individual, group or organisation to seek redress under any relevant legislation.

3. The Right to Complain

PMU's CRM works on two levels:

1. PMU's CRM⁴ gives stakeholders⁵ the right to complain if *PMU or PMU's implementing partners and/or its staff* have not fulfilled its commitments and failed to live up to its promises.
2. PMU's CRM gives the right-holders as well as affected communities and institutions⁶ involved in PMU supported development cooperation projects and humanitarian projects the right to complain if *PMU or PMU's implementing partners and/or its staff* has not fulfilled its commitments and failed to live up to its promises.⁷

4. Who can complain and what is it possible to complain about?

Complaints from the following categories of stakeholders will be addressed through the CRM of PMU:

- PMU's implementing partners and their employees
- representatives from Swedish partner organisations
- institutional donors and other donor organisations of PMU

⁴ *Complaint and Response Mechanism (CRM)* – a formalised mechanism that provides a safe, accessible and effective channel for individuals to raise complaints and for a response or redress to be given.

⁵ PMU's implementing partners and their employees, representatives from Swedish partner organisations, and institutional donors and other donor organisations of PMU.

⁶ *Affected communities and institutions* – different target groups being defined as recipients in a project or a program.

⁷ In the first place these complaints should be reported to and action should be taken by PMU's implementing partners. Several of PMU's partners have their own CRM. If PMU's implementing partners have failed to respond in an appropriate manner, it is possible to use PMU's CRM, if the complaint falls within the criteria mentioned below.

- right-holders⁸ as well as affected communities and institutions involved in PMU supported development cooperation projects and humanitarian projects

In order for a complaint to be considered as valid it must, however, refer to formal commitments or promises that PMU has made, see below. In order to have an understanding of these formal commitments, PMU has published this policy document and related documents on PMU's website www.pmu.se and will also spread them directly to implementing partner organisations. PMU cannot investigate complaints related to projects that have not been financed by or through PMU.

PMU's implementing partners and their employees, representatives from Swedish partner organisations, and institutional donors and other donor organisations of PMU can submit complaints relating to:

- compliance of Agreements for Cooperation and Project Agreements with implementing partners
- compliance of Agreements of Cooperation and Project Agreements with Swedish Partner organisations
- compliance of general agreements and project agreements with Sida, the SMC, Radiohjälpen and other donor organisations
- inappropriate behaviour/conduct of a PMU staff member⁹
- misuse of funds/fraud and other kinds of corruption or criminal offences, breaches of legal obligations and/or codes of conduct, damage to the environment or health and safety by one of PMU's partners or by PMU

Right holders and affected communities and institutions in PMU supported development cooperation projects and humanitarian projects can submit complaints relating to:

- inappropriate behaviour/conduct of a PMU implementing partner's local staff member
- inappropriate behaviour/conduct of a PMU staff member¹⁰
- misuse of funds/fraud and other kinds of corruption or criminal offences, breaches of legal obligations, damage to the environment or health and safety by one of PMU's partners or by PMU
- disputes over PMU partner's program implementation. However, this should primarily be the responsibility of the implementing partner. E.g. opinions on whether the implementing partner is working according to the project plan (for example if partner is perceived to act partially when selecting target groups) should primarily be the responsibility of the implementing partner and should be addressed directly to the implementing partner organisation, which is expected to handle such complaint within their own CRM and should provide a response to the complainant. Complaints regarding a an approved project's goal, time plan, criteria for selection of beneficiaries/right holders etc. should be answered primarily by the local partner. Only if PMU's implementing partner has failed to respond in

⁸ *Right holder* - there are a number of terms for the end user of development and humanitarian assistance, including right holder, beneficiary, disaster survivor, and client. Throughout this policy, we have used the word *right holder*, not necessarily because we think this is the best term, but for simplicity.

⁹ All PMU staff have signed *Code of Conduct for all PMU employees* and its annex *PMU Child Safeguarding Code of Conduct*.

¹⁰ See above.

an appropriate manner, or not responded at all after complaints have been made several times, is it possible for PMU to handle these kinds of issues. PMU takes a serious view on all kinds of abuse of power¹¹ by both expatriate and local staff, i.e. persons who are employed by PMU or by PMU's implementing partner. Complaints to PMU in cases of abuse of power, such as corruption or other forms of abuse of power, including sexual exploitation and abuse, by staff employed by PMU or by a local partner will be given priority.

PMU takes its commitments seriously and therefore takes all opinions and grievances seriously. All complaints are valuable for PMU also in order to learn and improve and avoid future shortcomings.

PMU's implementing partners are also expected to assure that basic information about PMU's CRM, as well as the partner's own CRM and how it works, is presented in a language, format and media which is relevant and accessible and can be understood by the staff of the organisation and the right holders as defined above.

5. Obligation of the PMU partner

According to agreements between PMU and PMU's implementing partners, they agree to work actively to prevent, counteract, uncover and identify any form of illegal or inappropriate handling or other form of misuse of funds. PMU's implementing partners also undertake to notify PMU immediately, investigate and, if necessary, take legal action against the party/parties suspected, for good reason, of theft, fraud, corruption or other illegal inappropriate handling or other forms of misuse of funds. This applies to all forms of abuse of power or position to gain own benefits, including sexual harassment or abuse. In such cases, PMU always initiates an investigation, and if suspicions are confirmed, PMU will take the necessary measures, and, when relevant, also legal action. PMU has the right to cancel its support and terminate the existing agreement, and the implementing partner may be obliged to repay the funding.

6. How to complain?

Complaints can be forwarded in the following way:

- 1) By using PMU's complaint template, which can be found at the bottom of the home page of the English language part of PMU's website www.pmu.se/en. PMU recommends the use of this format since it provides PMU with all necessary information for a proper investigation and a correct and swift response. If the complaint is confidential, please note this when filing the complaint.
- 2) By sending an e-mail to one of the following addresses: complaint@pmu.se or klagomal@pmu.se
- 3) By sending an SMS to +46-(0)76-5369620

¹¹ As defined in *Special measures for protection from sexual exploitation and sexual abuse* of the UN's Secretary General (bulletin ST/SGB/2003/13), also referred to as *SGB*. Where the SGB establishes a stricter standard than local laws, the standards of the SGB will prevail.

PMU's Head of Programme, Leif Newman, is the focal person at PMU for complaints handling. If the complaint concerns the focal person, it should be sent to the director of PMU. Complaints can also be sent outside of these mechanisms directly to a staff member of PMU.

Complaints that are not considered as valid complaints according to this policy document will not be registered by PMU as complaints. They are categorized as feedback¹² and will be handled within PMU's regular system for learning and improvement. It should be noted that PMU welcomes all forms of feedback and suggestions.

7. Response to Complaints

All complainants can choose the way to receive a written response, be it by letter, e-mail, or SMS. The normal procedure will be to deliver the response in the same way as the complaint was received.

I. Non-valid complaint: Feedback to the complainant within 30 days (it takes longer in July during annual leave) that PMU won't make an investigation, with a brief explanation to why. A non-valid complaint feeds into PMU learning process.

II. Valid non-confidential complaint. Feedback to the complainant within 30 days (it takes longer in July during annual leave) about further PMU process. Response to the complainant about the result of the investigation and decision made by PMU, should normally be given to the complainant within 90 days from the date when a complaint was made.

III. Valid confidential complaint. Feedback to complainant within 14 days (it takes longer in July during annual leave) about the continued PMU process. Response to the complainant about the result of investigation and decision made by PMU, should normally be given to the complainant within 45 days from the date when a complaint was made.

In the event of failure of data and/or e-mail systems, delays and loss of recently sent information can occur. Therefore, if the time limits above have passed, the complainant should submit his/her complaint again.

8. PMU's Internal Complaints Handling Procedure

In order to assure an appropriate and timely response to your complaint, it is handled according to the following procedures.

Your complaint is received by the CRM administrator¹³, who makes an examination if it is a *non-valid, valid non-confidential¹⁴ or valid confidential¹⁵ complaint* and will register a valid complaint in the PMU system. The CRM administrator also makes an examination if a valid complaint is a *non-confidential or a confidential complaint*.

If the complaint is a *non-valid complaint* PMU will give feedback to complainant within 30 days (it takes longer in July) that PMU won't make an investigation. Also a non-valid complaint feeds into the PMU learning process.

¹² Feedback – a positive or negative informal statement of opinion. Does not require a response.

¹³ The person at PMU responsible for the internal administration of complaints, currently the Head of Programming.

¹⁴ Normally, complaints that are considered as non-sensitive are complaints not connected to abuse of power such as e.g. challenges to the use of selection criteria, or opinions on whether the implementing partner is working according to the project plan, etc.

¹⁵ Normally, complaints that are considered as sensitive are e.g. complaints related to abuse of power incl. sexual exploitation and abuse, corruption or gross misconduct or malpractice.



The process of handling valid *non-confidential* or *confidential complaints*, are presented in the attached flow charts, annexes 1 and 2.

9. Confidentiality and Non-Retaliation Policy

PMU's Policy for Complaints Handling also includes a policy on confidentiality and non-retaliation in order to avoid any negative consequences for anyone filing a complaint. The complainant should not risk any kind of retaliation.

All complaints where the complainant has asked for confidentiality, will also be treated with confidentiality. Furthermore, if PMU believes that it would pose a risk to a complainant if a complaint became known, PMU will treat it as confidential even if this is not asked for. This may be the case when a complaint includes serious allegations regarding:

- fraud and corruption
- sexual exploitation and abuse¹⁶
- serious mismanagement
- any issue where an investigation could lead to disciplinary action or criminal prosecution

Every effort will be made to keep the identity of the complainant confidential. There may, however, be circumstances in which, because of the nature of the investigation or disclosure, it will be necessary to disclose the identity of the complainant (e.g. in cases of corruption and sexual abuse). This may occur in connection with associated disciplinary or legal investigations or proceedings. In these cases, PMU will make efforts to inform the complainant that the identity is likely to be disclosed. If it is necessary for the complainant to participate in an investigation or legal process, the fact that the complainant made an original disclosure will be kept confidential, so far as it is reasonably practicable, and all reasonable steps will be taken to protect the complainant from any victimization or detriment as a result of having made a disclosure.

In order not to jeopardize any investigation into the alleged malpractice, the complainant will also be expected to keep the fact that s/he has raised a concern, the nature of the concern and the identity of those involved, confidential.

Social and power dynamics must be assessed before deciding on the best way to intervene. Particular attention should always be paid to the specific needs of elderly people, women, children, people with disabilities and others who might be marginalised.

Care will be taken in deciding who needs to have access to what information within the organisation. Given the social stigma associated with sexual exploitation and abuse and the very real danger that women and children reporting such abuse could face retaliation from perpetrators and their own families, PMU will assess the best way to intervene to ensure that a complaint will be treated confidentially and that they will face no danger of retaliation.

¹⁶ PMU is applying the definitions in the document *Special Measures for Protection from Sexual Exploitation and Sexual Abuse* of the UN's Secretary General (bulletin ST/SGB/2003/13).



10. Appeals

If the complainant considers PMU's response to the complaint as not appropriate, s/he can appeal the decision through the same entry points used for filing the complaint. Appeals can also be sent directly to the director of PMU's legal entity, madeleine.hansson@pingst.se. An explanation as to why the complainant finds the response non-appropriate should in these cases be attached, including the reference number of the original complaint. Appeals are handled by a team of senior officials, which functions as a superior complaints board¹⁷.

PMU is a member of the global CHS Alliance. If you wish to make a complaint about PMU to CHS Alliance, please do so using the following email address: complaints@chsalliance.org.¹⁸

11. Referral

If a valid complaint is of a kind that PMU is not capable or authorised to handle, it will normally be referred to a competent body, for example the CHS Alliance or an external auditor.

Disputes over PMU partner's program implementation will normally be referred by PMU to the implementing partner of the program.

PMU will ensure that this is done in a manner consistent with the Confidentiality and Non-Retaliation Policy.

12. GDPR

The PMU complaints handling system is in accordance with the GDPR¹⁹ and other relevant legislation.

13. The CRM's of PMU's implementing partner

As a part of PMU's accountability commitments, PMU also encourages and supports its partners to develop and use their own systems for complaints handling within their organisations. This also includes project specific system for handling complaints which are developed in dialogue with the right-holders of the respective projects.

PMU's implementing partners are expected, as a minimum standard, to inform the right holders and other stakeholders of the name and contact information of the project managers and key leaders within their organisations, in order to make it possible for right holders and other stakeholders to voice complaints as well as to give feedback to the implementing partner. If the implementing partner has a formal CRM system in place it is expected that this system is used for the operations which PMU supports.

PMU also encourages and supports its partners to develop and use their own systems for handling whistleblowing and internal employee grievances within their own organisations.

¹⁷ Currently the Director (Madeleine Hansson), the Chief Financial Officer (Elisabeth Celaya) and the Operations Manager for National Development (Andreas Ardenfors) of PMU's legal entity.

¹⁸ For more information, consult: www.chsalliance.org/complaints

¹⁹ The General Data Protection Regulation (EU) 2016/679 (GDPR) is a regulation in EU law on data protection and privacy for all individual citizens of the European Union (EU) and the European Economic Area (EEA). It also addresses the transfer of personal data outside the EU and EEA areas.



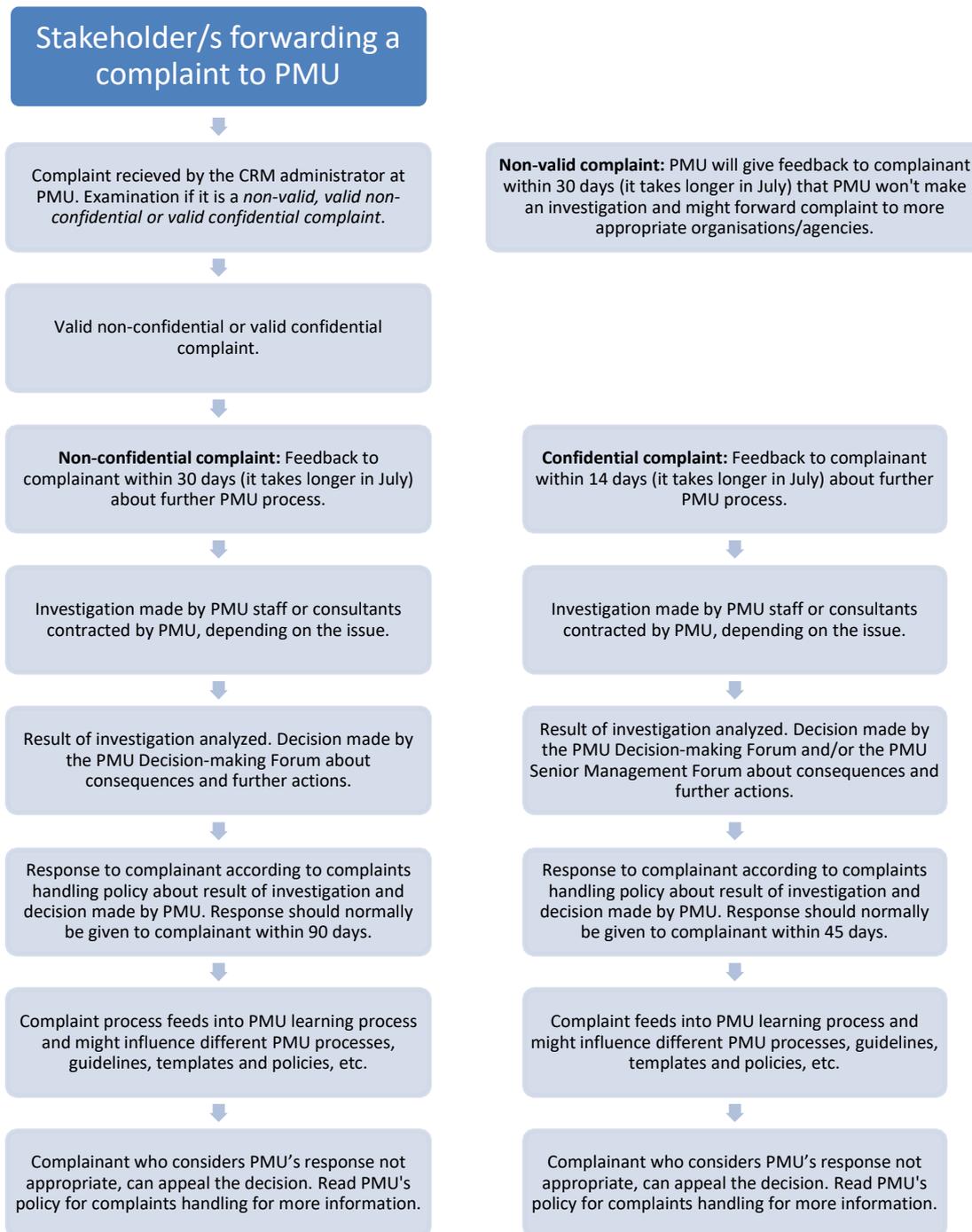
14. Quality Management

PMU's Complaints and Response Mechanism (CRM) helps PMU to follow its quality and accountability commitments to the stakeholders. The lessons learnt from the complaints that PMU receives are an important part of the development of our quality and accountability management system, including the internal control system.

PMU welcomes feedback from implementing partners, right holders and Swedish partners regarding our Complaints and Response Mechanism (CRM), described in this policy document. The policy is regularly revised based on the feedback PMU receives.

If you have any questions, comments or suggestions regarding PMU's Complaints and Response Mechanism (CRM system), please contact PMU's Head of Programme, Leif Newman on leif.newman@pmu.se, the administrator and focal person at PMU for complaints handling.

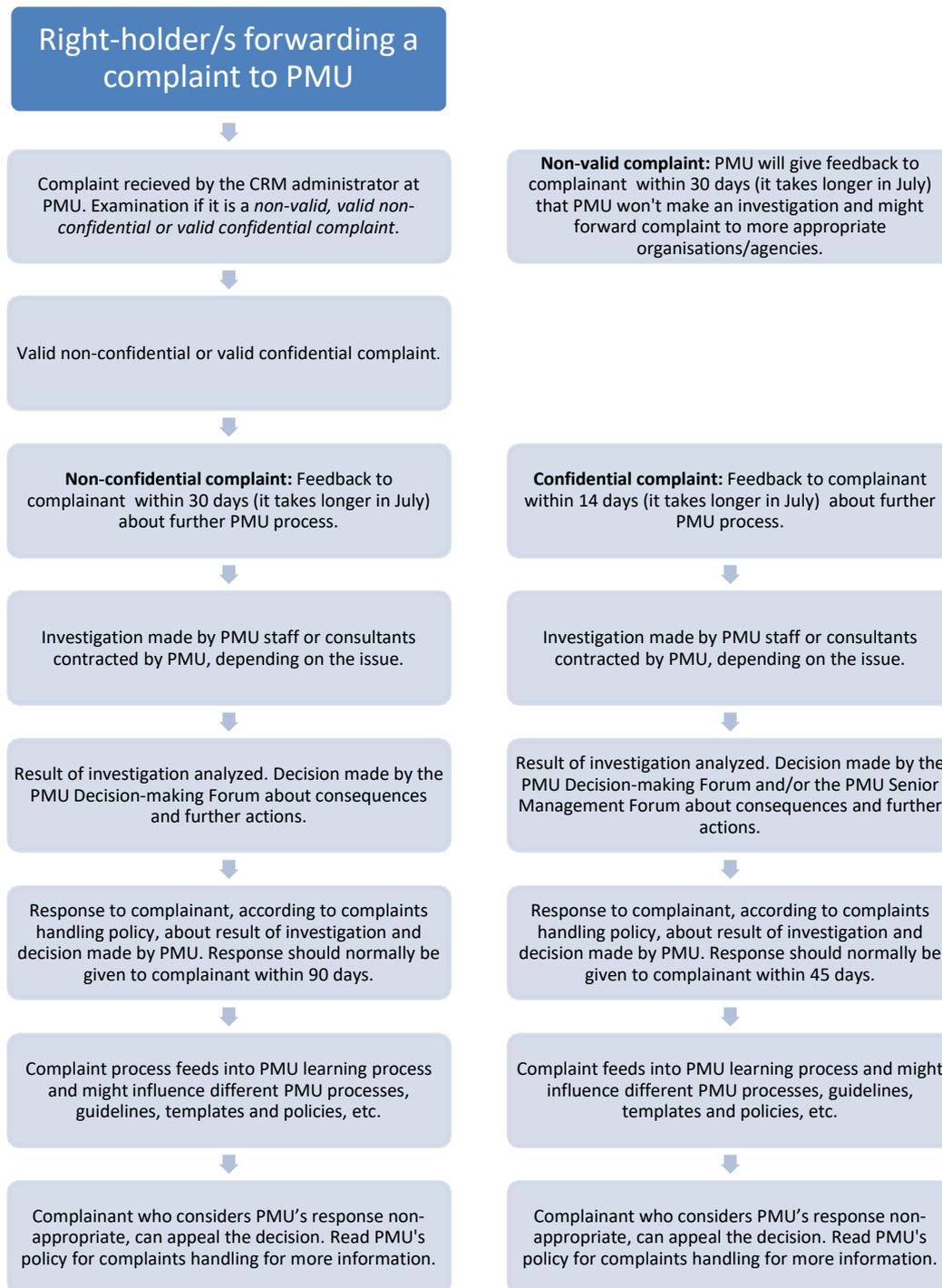
Annex 1. Flow chart for PMU’s Complaints handling process regarding stakeholder²⁰ complaints²¹



²⁰ PMU’s implementing partners and their employees, representatives from Swedish partner organizations, and Institutional donors and other donor organizations of PMU are defined as the stakeholders in PMU’s Complaints Handling system.

²¹ About following commitments in Agreements for Cooperation and Project Agreements with local partner organizations, commitments in Agreements of Cooperation with Swedish Partner organizations, general agreements and project agreements with Sida, SMC, Radiohjälp and other donor organizations, and behaviour/conduct of a PMU staff member, read section 4 in this policy for more information.

Annex 2. Flow chart for PMU’s Complaints handling process regarding right-holder²² complaints²³



²² *Right holder* - there are a number of terms for the end user of development and humanitarian assistance, including right holder, beneficiary, disaster survivor, as well as affected communities and institutions.

²³ About inappropriate behaviour/conduct of a PMU implementing partner's local staff member, inappropriate behaviour/conduct of a PMU staff member, misuse of funds/fraud and other kinds of corruption by one of PMU's partners or by PMU. Disputes over PMU partner's program implementation are primarily the responsibility of implementing partner, but can be forwarded to PMU if they fail to respond after several attempts. Read *Policy for Complaints Handling for PMU's Development Cooperation and Humanitarian Aid* for more information.