



## External Complaints Procedure

Adopted by Stichtingsbestuur Mondiaal FNV on 8 April 2021

## 1 Introduction

Because Mondiaal FNV employs people and not robots, work relationships can sometimes proceed differently than might be expected. Therefore, we always prefer to consult with you first in order to resolve a problem. If we fail to do so, and the situation results in an official complaint, we will handle matters carefully and appropriately, taking into account the human element. This is important not only for the individual who tabled the complaint but it is also in the interests of Mondiaal FNV.

This document explains how Mondiaal FNV handles complaints filed by third parties, from identifying and preventing complaints right up to how we handle them. It starts with an explanation of the type of complaint and how it can be filed. In addition, the responsibilities and roles within Mondiaal FNV with regard to handling complaints are also discussed.

## 2 Preventing complaints

### 2.1 Code of conduct

Mondiaal FNV seeks to be a human-orientated, accessible, and decisive organisation, where we interact respectfully with each other, with people who require help, and with contacts. For this purpose, Mondiaal FNV has drawn up a Code of Conduct with which all staff members (employed or freelance) and volunteers must comply.

### 2.2 Avoiding complaints

We prefer to prevent complaints in the first place. The most ideal situation would be if a person who requests help, a contact, or a third party first express their dissatisfaction to the person being complained about, or to someone else who may be able to assist. A solution can then be sought together.

Feeling free to hold people accountable for their behaviour is only possible in a culture of openness and respect. To stimulate this culture, we discuss various topics within our foundation: these include what is desired behaviour?; what are our norms and values?; and what do we find acceptable and not acceptable?

Unfortunately, it sometimes happens that no solution can be arrived at together. In that case, any person, contact, or third party should be given the opportunity to express their dissatisfaction with the actions of anyone who acts on behalf of Mondiaal FNV.

## 3 Complaints

Mondiaal FNV defines a complaint as follows:

**Any dissatisfaction expressed by a contact, partner, donor or third party with the actions or omissions by a person associated with Mondiaal FNV.**

We are making a distinction between complaints of a general nature, complaints relating to ethical behaviour, and those identifying incidents of misconduct or abuse.

### 3.1 General complaints

A general complaint is one that does not relate to ethical behaviour or to the identification of misconduct. Such complaints can be filed online through our website, which includes a link to the

independent organisation SEEHEARSPEAKUP, an external and independent global whistleblowing service that allows people to report matters without fear, and in a secure and confidential manner. This organisation receives the complaints and ensures that these are passed on to us.

### 3.2. Complaint relating to ethical behaviour

A complaint relating to ethical behaviour is one that concerns discrimination, aggression, violence, bullying, sexual intimidation, and sexual abuse. (A list of how these concepts are defined can be found in the annex.)

Complaints about ethical behaviour involving one of our staff members can be filed online through our website, which includes a link to the independent organisation SEEHEARSPEAKUP. This organisation receives the complaints and ensures that these are passed on to us.

Under Dutch law, complaints involving ethical behaviour cannot be handled if filed anonymously. In this case, SEEHEARSPEAKUP will contact the person who filed the complaint and explain the process.

In the event of undesirable behaviour, an external confidential counsellor appointed by Mondiaal FNV may be contacted before a complaint is filed. The confidential counsellor can be contacted by email or phone ([ingetebrake@me.com](mailto:ingetebrake@me.com) or +31 6 53 722 494).

### 3.3 Malpractice

Identification of malpractice differs from filing a complaint, and refers to the behaviour of professionals involving (an imminent risk of) a punishable offence, such as:

- theft, corruption, and forgery;
- violation of Dutch law and regulations;
- a threat to public health, security, or the environment;
- (an imminent risk of) deliberately providing incorrect information to bodies;
- (an imminent risk of) wastage of social/collective resources.

Malpractice can be reported confidentially online through our website, which includes a link to the independent organisation SEEHEARSPEAKUP. This organisation receives the report and ensures that it is passed on to us, anonymously if necessary.

## 4 Filing a complaint

### 4.1 I want to file a general complaint

Complaints can be filed online through our website, which includes a link to the independent organisation SEEHEARSPEAKUP. This organisation receives and handles the complaints confidentially, and ensures that these are passed on to us, anonymously if necessary.

Complaints filed through SEEHEARSPEAKUP by contacts or third parties will always be assessed by the complaints officer, who then determines which colleague/colleagues can best handle the complaint. The complaints officer and the complaining party may agree on the terms for handling the complaint. The Mondiaal FNV complaints officer coordinates this process, and ensures that the applicable terms and arrangements made are being met.

#### 4.2 I want to file a complaint relating to undesirable behaviour

Complaints relating to undesirable behaviour are forwarded by SEEHEARSPEAKUP to the complaints officer appointed by Mondiaal FNV for this purpose. If it concerns the officer, the complaint will be forwarded to the appropriate member of the Mondiaal FNV Executive Committee.

Upon receipt of the complaint, its admissibility will be assessed in consultation with the chair of the complaints committee. If admissible, the complaints committee will investigate the complaint further. Under Dutch law, complaints relating to undesirable behaviour cannot be handled if filed anonymously. The person who filed the complaint will be kept informed of the progress.

#### Registration of complaints

General complaints and those relating to ethical behaviour are incorporated into the Mondiaal FNV complaint registration system. In this way, the organisation gains insight into the type of complaints filed, in order to learn from it and to be able to make improvements.

#### What about my privacy?

All information relating to the complaints procedure is handled in strict confidence. In order to safeguard confidentiality, we cooperate with SEEHEARSPEAKUP, an external organisation that guarantees diligence relating to continuity, anonymity, and processing. Only officers involved in handling a complaint have access to the details, and they must observe strict confidentiality in order to safeguard the privacy of the parties involved.

#### **Undesirable behaviour: confidential counsellor**

Instead of a complaint being filed, incidents of discrimination, aggression, violence, bullying, sexual intimidation, and sexual abuse can first be reported to the confidential counsellor, who is an independent person not employed by the organisation.

Inge te Brake, who has been appointed confidential counsellor for Mondiaal FNV, handles reports relating to integrity and undesirable behaviour involving Mondiaal FNV professionals or consultants.

#### **What happens to my report?**

The confidential counsellor supports and advises the reporting person in resolving the reported issue and/or helping the person involved to file a complaint. The confidential counsellor monitors the entire process in accordance with the agreed code of conduct, and is required to report incidents of malpractice.

#### **What about my privacy?**

Issues reported to the confidential counsellor are not incorporated into the complaint registration system, and are handled in strictest confidence. This means that the complaint will not be reported to the Management of Mondiaal FNV if the individual does not wish it to be.

#### 4.3 I want to report an incident of malpractice

Incidents of misconduct can be reported to SEEHEARSPEAKUP through the link on our website. These involve activities undertaken by Mondiaal FNV professionals relating to:

- (an imminent risk of) a punishable offence, such as theft, corruption, and forgery;
- (an imminent risk of) violation of Dutch law and regulations;

- a threat to public health, security, or the environment;
- (an imminent risk of) deliberately providing incorrect information to bodies;
- (an imminent risk of) wastage of social/collective resources;
- (an imminent risk of) withholding, destroying, or manipulating information.

### What happens to my report?

SEEHEARSPEAKUP acts as an external and therefore independent whistleblowing service. In consultation with the Management and/or Executive Committee of Mondiaal FNV, it decides whether the investigation into an incident of potential misconduct should be handled by a committee, which in turn may seek advice from experts. Read more here about the whistleblowing scheme.

### What about my privacy?

SEEHEARSPEAKUP guarantees full anonymity of the reporting party. Issues reported to SEEHEARSPEAKUP are not incorporated into the complaint registration system. This means that - if the individual so desires - the report cannot be traced back to him/her, as a result of which maximum protection of privacy is guaranteed.

## 5 The various roles in the event of complaints

### The complaints officer

The complaints officer has the task of coordinating and monitoring the entire complaint handling process, and consults with both parties involved in the dispute. The aim is to arrive at a solution that is acceptable to both. If desired or necessary - for example, if one or both parties are not happy with the complaints officer - the officer may make use of a pool of voluntary mediators.

### The supervisor

If it proves impossible to discuss the complaint with the person to whom it relates, the supervisor will be responsible for addressing the issue. He/she will then need to enter into talks with the complaining party and the person being complained about. Experience has shown that in most cases this results in a solution.

### The mediator

A mediator is called in when requested by the complaints officer, the confidential counsellor, the chair of the complaints committee, or at the explicit request of the parties. Of course, mediation can only be applied if both parties are open to it. The mediator is listed in the register of mediators held by the Mediator Federation Netherlands (*Mediatorsfederatie Nederland/ MfN-register*).

## 6 Complaints report

Every year, the Mondiaal FNV Management and/or Executive Committee receives an overview of the number of issues reported and complaints, the types of complaints, and any matters that might stand out in this respect. Furthermore, the complaints officer and the confidential counsellor also report on the results, such as changes in the work processes involving earlier recommendations. In addition, new recommendations are made that should structurally prevent complaints and reduce their number. This may lead to the adaptation of policies and processes.

## Annex 1 - Definitions of complaints relating to ethical behaviour

A complaint relating to ethical behaviour is defined in Section 3.1, which concerns discrimination, aggression, violence, bullying, sexual intimidation, and sexual abuse. The following is a list of how these concepts are defined.

### Discrimination

Any form of distinction, exclusion, restriction, or preference based on religion, philosophy of life, political beliefs, race, gender, sexual orientation, age, disability or any other ground that leads to inequality and the infringement of fundamental freedoms.

### Aggression and violence

Psychologically and/or physically harassing, threatening, or attacking a person under circumstances that relate directly to an activity.

### Bullying

The systematic use of psychological, physical, or sexual violence, including systematic discrediting, by one individual or a group of individuals, usually aimed against one individual who is not or no longer capable of defending himself or herself.

### Sexual intimidation

Direct or indirect displays of a sexual nature in word, gesture, image, behaviour, or any other manner to which the person involved is subjected within the professional or voluntary work situation, and that are experienced as undesirable.

### Sexual abuse

Any form of sexual behaviour or sexual advances of a verbal, non-verbal, or physical nature, intentional or unintentional, which is experienced as undesirable or coerced by the person in question.