



# Complaints & Incidents Response Mechanism (CIRM) Policy

**Version 1**

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## I. Introduction

It is integral to Equality Myanmar's (EQMM) mission to ensure that we work with integrity and accountability to all our important stakeholders. EQMM has a responsibility to ensure its actions and activities are safe, professional, fair, and in compliance with our programmatic aims, policies, and obligations.

To this end, we are committed to implement a complaint & incident policy that enables individuals and organizations to raise complaints and give feedback on our work, as well as the work funded by EQMM carried out by partners. This system also enables EQMM staff to report incidents.

There may be occasions when EQMM does not meet the expectations of all stakeholders, or when we fail to live up to our commitments. When, or if this occurs, beneficiaries, partners, other stakeholders, and EQMM staff have the right to complain.

The benefit for EQMM in receiving complaints is to get input on programs, projects, and overall management. It will help identify problems and support timely response, which will improve the quality of our work and reduce the potential for inefficient or misuse of the resources entrusted to us. Lastly, it builds trust with our stakeholders, and seeks to empower them through the ability to easily give feedback and raise complaints about our work.

## II. Objective

The purpose of this policy is to:

- Promote and protect Equality Myanmar's stakeholders to give feedback and/or complain about EQMM or EQMM-funded work by partners
- Promote and protect EQMM staff to report incidents
- Ensure accountability of EQMM to its stakeholders
- Provide for continuous improvement in EQMM's programmatic work and management

## III. Scope

The complaint & incident response mechanism (CIRM) policy describes one complaint and incident response mechanism (CIRM) system for the whole organization of EQMM and covering any EQMM-funded activities, whether carried out by staff or partners.

### Who can raise a Complaint?

- Women, men, girls, boys, and LGBTI who participate in, or benefit from EQMM's programmatic activities
- EQMM's partners and supporters
- EQMM's donors
- EQMM staff, data collectors, human rights educators network members, interns, volunteers, Board of Directors
- Contractors, consultants, service providers, suppliers, and vendors that do business with EQMM

### Complaints addressed by this policy

EQMM will accept complaints related to the following examples:

- Suspicion of or witness of misconduct by an EQMM staff member with reference to any of EQMM’s policies and Code of Conduct or Code of Ethics
- Suspicion of or witness of an act of corruption by an EQMM staff member
- Issues related to safety and security of rights holders participating in or affected by EQMM-funded activities
- Partner project implementation that is funded by EQMM
  - This includes EQMM’s subgrant projects, multiplier trainings, cash grants, International Human Rights Day regional campaigns, and documenting human rights violations
- Behavior/conduct of a partner, where the action is funded by EQMM
  - This includes the behavior and conduct of ToT (Training of Trainers) participants or HREN members, during ToT (Training of Trainers) and any EQMM-funded activity
- Misuse of funds or fraud by EQMM staff or a partner organization receiving EQMM funds
- The employee feels disciplinary action taken against her/him is unfair, or s/he has any grievance against the project or a work- related problem
- EQMM staff incidents related to accidents, security threats, inappropriate or illegal conduct, or matters affecting the work environment

#### Complaints not addressed by this policy

EQMM will not accept, but may respond to complaints, such as, but not limited to:

- Complaints regarding partners, projects or activities that are not funded by EQMM
- Complaints related to staff contracts and employment terms of conditions of partner organizations
- Complaints that are already the subject to current investigation by any regulatory body or legal or official authorities
- Issues that are happened in previous many years

EQMM will not respond to the following complaints:

- Complaints against a political stand/ viewpoint/ opinion which have being taken by EQMM or a partner organization
- Offensive complaints using inappropriate or abusive language
- Complaints sent as part of a bulk mail from an unknown source

## IV. Definitions

Information submitted to the complaint mechanism may not always be a complaint. EQMM will classify information received by the complaint mechanism according to the following definitions.

**Enquiry** – a request for information or an explanation

**Feedback** – opinions, comments, suggestions

**Complaint** – an expression of dissatisfaction related to EQMM’s work and/or the alleged misconduct of its employees or partners

**Grievance** – a type of complaint raised by an EQMM employee about problematic work conditions and/or other internal matters within the workplace, such as those concerning the HR policy, terms of employment contracts, or behavior of other staff

**Whistleblowing** – a type of complaint about actual or suspected misconduct that involves a disclosure of information, usually by a witness

In the context of this policy, **Misconduct** is considered any action that is:

- Illegal
- Unethical or dishonest, such as willfully altering records, committing fraud and corruption, or instructing or manipulating others to commit unethical acts
- Potentially damaging to EQMM’s administration or management, such as inefficient and dishonest administration and mismanagement, or instructing or manipulating others to commit damaging acts
- In violation of EQMM policy or is considered a serious impropriety
- Seriously harmful or potentially seriously harmful to EQMM staff, partners, or beneficiaries, such as deliberate unsafe work practice or willful disregard to the safety of others in the workplace
- Likely to cause serious damage to EQMM’s reputation
- Retaliatory action against a whistle-blower for having made a wrongdoing disclosure

## V. Implementing the Complaint and Incident Response Mechanism (CIRM)

### Complaint and Incident Response Mechanism

Complaint and Incident Response Mechanism (CIRM) is a formalized mechanism involving all steps and processes of handling complaints, feedbacks, and grievance.

### Receiving Complaints

A complaint should be lodged as soon as possible after the complainant becomes aware of the concern. In the case of serious complaints, EQMM will accept such complaints even if a lot of time passed since the alleged incident occurred.

All raised concerns, complaints, and staff grievance will be treated with respect.

Complaints can be made through any of the following ways to fill the ‘Complaints/Incidents Report Form’.

#### 1. In person to EQMM staff

The complaint and any potential risks should be referred to their department Manager as soon as possible. Staff handling the complaint should at the initial contact with the complainant find out

whether the reporter or anyone else immediately or potentially is at risk. Thereafter, management is responsible to minimize such risks as much as possible.

## 2. To the EQMM office

- By post or email
- Tel: +66 944088490, +66 944071271
- Email: info@equalitymyanmar.org, Attention to the Admin & Finance Manager

## 3. To EQMM's online complaints/Incidents report form

Visit EQMM's website and click on 'Complaints/Incidents Report Form' under 'Contact Us' or visit the following URL:

English Version:

[Complaints – Equality Myanmar](#)

Burmese Version:

[တိုင်ကြားမှု - ညီမျှခြင်းမြန်မာ \(equalitymyanmar.org\)](#)

### Confidentiality

EQMM will not reveal the name of the person making a complaint or the details of the complaint to anyone in or outside the organization, other than the staff handling the complaint. Relevant EQMM staff may be informed about complaints received, investigated, and action taken. In these cases, it is done to assure staff that accountability is being enforced.

Any unauthorized sharing of information about a complainant and details of their complaint will be considered a form of misconduct under the HR policy.

### Anonymous Complaints

If a complaint is anonymous, EQMM will investigate it as far as possible, but EQMM will not respond to anonymous complaints. All information about the complaint and investigation will remain confidential.

### False and Malicious Complaints

If an investigation determines that a complaint is false, the investigation will be stopped immediately.

If it is also proven that the person/organization who raised the complaint knew it was false, it will lead to disciplinary action. If the offender is an employee, the HR policy will apply; if the offender is a partner or beneficiary, it will lead to the partnership or eligibility status to be reviewed, with the possibility of termination of benefits.

### Responsibility and Accountability

All complaints will be directed to the Management Committee, which is formally responsible for handling and investigating complaints. The Management Committee is supervised by the Executive Director and Founder.

EQMM will ensure that a person implicated in a complaint is not involved in any way with the handling of that complaint. Therefore, if the complaint is about the Executive Director, the Founder is responsible. If the complaint is about the Founder, the Board of Directors is responsible.

### Process for Resolving Complaints

Formal complaints will be acknowledged within 10 working days with the confirmation letter.

EQMM will address all complaints in an equitable, fair, and unbiased manner using evidence submitted by both the complainant and our personnel.

### Analyze

We will:

- Make an initial assessment of the severity of the complaint and the urgency of action
- Seek from the complainant the outcome/s they are expecting, if it is not clear in the initial complaint
- Not create false expectations but assure the complainant that the complaint will receive attention.

### Investigate

If investigation is deemed necessary, EQMM will make every reasonable effort to investigate all the relevant circumstances and information surrounding a complaint. The level of investigation will be commensurate with the seriousness and frequency of the complaint.

In accordance with the Human Resource Policy, a justice committee (JC) will be formed consisting of three (3) staff members including the Executive Director and two relevant MCOM members or delegated program coordinators. The committee will be established no later than one week after receiving the complaint or incident report. The concerned M-COM member presents the case to the JC. The JC then invites the alleged offender/s for discussion. S/he/they are given an opportunity to explain the complaints. If proven guilty of the complaint(s), s/he is asked what administrative actions should be taken. The JC then decides without delay how to handle the complaint(s) administratively, taking into consideration the staff member's recommendation(s). The investigation will take no longer than a maximum of two weeks to be completed.

Complaints about activities delivered by our partners may take time to investigate and resolve. Other complaints may require detailed investigation. As an average, EQMM aims to resolve all complaints within 30 days.

The justice committee (JC) will prepare the complaints/incidents investigation report and report to the management committee for verification.

## Responding to and Closing a Complaint

EQMM will take all required remedial action. We will be prepared to change the way in which we operate and improve or undertake further training of staff. Where it is needed, we will counsel or discipline staff or partners.

EQMM will inform the complainant about the outcome. This will be done in writing. If literacy is an issue, it will be done orally, and the discussion will be documented by EQMM.

If a decision has not been reached within 30 days of acknowledgement, the complainant will be provided with a progress report and an indication of a likely date of conclusion.

If an action has been taken to address the issue, the complainant will be informed. The detail of that action may not be able to be disclosed in all instances due to confidentiality.

If a complaint is not upheld and the complainant remains unhappy, they have a right to appeal within 30 days. They must be informed of this right. Appeals go to and are the responsibility of the Board of Directors.

After the closure of the case through relevant action, the documents will be maintained in a confidential manager by Human Resources Department.

## How EQMM will Raise Awareness about the Policy

EQMM will inform its staff as well as the individuals, communities, partners, and other stakeholders we work with about their right to complain and that confidentiality will be always maintained.

- **Staff, interns, documentation team, volunteers, and Board of Directors members** – the policy will be explained during the orientation process.
- **Consultants, service providers, and suppliers** – details and link to online form will be in their contract.
- **Beneficiaries** - EQMM will explain this verbally at the commencement of work with beneficiaries. We will take special care to facilitate complaints from vulnerable populations.
- **Partners** – details will be in the partnership agreement, such as the sub-grant contract, and the complaint mechanism will be discussed during the sub-grant policy orientation.
- **Other stakeholders and interested parties** – a copy of the policy will on the EQMM website, along with a link to an online complaint and incident report form.

Available EQMM's materials for awareness raising and training:

- Code of Ethics
- Child Protection Policy
- Sexual Harassment Policy
- Anti-Corruption Policy
- Complaint and Incident Policy

- Human Resources Policy and Procedures Manual
- Finance and Accounting Policy and Procedure
- Sub Grant Financial Support Guideline
- Cash Grant Guideline
- Procurement Policy
- Guideline for a use of Cash Providers and Hundi
- Documentation Guideline
- Safety and Security Policy
- Covid 19 Policy and Procedure
- Guideline for Protection Fund Support for Human Rights Defenders and Their Dependents

## VI. Whistleblowing

No person should be personally disadvantaged for reporting a wrongdoing. Not only may misconduct be illegal, but it may directly oppose the values and mission of EQMM. EQMM is committed to maintaining an environment where legitimate concerns can be reported without fear of retaliatory action or retribution.

When a person makes such a disclosure, they are entitled to expect that:

- Their identity always remains confidential to the extent permitted by law or is practical in the circumstances,
- They will be protected from reprisal, harassment, or victimization for making the report,
- Should retaliation occur for having made the disclosure then EQMM will treat it as grave misconduct under the HR policy.

### Whistle-blowing Procedures

A person considering making a whistle-blower report is obliged to act in good faith and have reasonable grounds for believing the disclosure is reportable wrongdoing. False or malicious allegations may result in disciplinary actions.

A Whistle-blower must provide information to assist any inquiry/investigation of the wrongdoing disclosed.

Making a report may not protect the whistle-blower from the consequences coming from involvement in the wrongdoing itself. A person's liability for their own conduct is not affected by their reporting of that conduct under this policy. However active cooperation in the investigation, an admission, and remorse may be considered when considering disciplinary or other action.

The justice committee (JC) is an investigator for whistleblower complaints. The responsibilities of the justice committee (JC) include the assurance that action taken in response to the inquiry is appropriate to the circumstances and that retaliatory action will not be taken against the person who made the disclosure.

The justice committee (JC) has direct, unfettered access to independent financial, legal, and operational advisers as required.

The justice committee (JC) needs to keep the Whistle-blower informed of the progress and outcomes of the inquiry/investigation subject to considerations of privacy of those against whom the allegations have been made.

## VII. Grievances

A grievance is any serious concerns, controversy or misunderstanding between EQMM staff and the organization. Every staff member has the right as well as the obligation to bring to the attention of senior management any alleged misapplication of the Human Resources Policies and Procedures Manual. The is intended to provide each staff member with a mechanism to resolve their workplace concerns with management.

### Grievances Procedures

All regular and temporary or contract staff, including volunteers and interns, may report a grievance by verbal (initial) and online complaint & incident report form or written incident reports. Ideally a serious grievance is encouraged to be documented a file as an official document.

#### ***a) Initial Submission - Supervisor and Executive Director***

The staff member presents the grievance in writing to his/her immediate supervisor. The supervisor has three (3) workdays to respond. Should the supervisor fail to respond within this period or if the staff member finds the response unsatisfactory, the grievance is then given in writing, to the Executive Director, clearly specifying the policy allegedly misapplied, and the relief requested.

The Executive Director responds in writing within three (3) workdays of receipt. If the Executive Director fails to respond within the allotted period, if the staff member receives an unsatisfactory response, or if the Executive Director is the immediate supervisor, the staff member can use procedure (b) below.

#### ***b) Second Submission – Management Committee (M-COM)***

The staff member submits the grievance to the management committee (M-COM) if the situation is not resolved through the initial submission (a). Upon receipt of a written grievance, the management committee also convenes a meeting during which statements are taken from the staff member and the immediate supervisor either separately or jointly at the discretion of the management committee. The management committee (M-COM) may also request statements from other staff members.

The management committee (M-COM) may refuse to grant the staff member's request for grievance when the issues involved are minor or involve evaluations or judgments by management unless they appear to contradict policy, are malicious or vindictive. The management committee shall have three (3) workdays in which to respond to the staff member in writing concerning the relief requested.

If the management committee fails to respond within this time limit, or any grievances of the

staff member against any member of management committee (M-COM), the staff member can petition the chair of the board of directors (c) below.

***c) Third Submission – Board of Director’s Chairperson***

The chair of the board convenes a meeting with the aggrieved staff member, the management committee (M-COM), the Executive Director, and the immediate supervisor, either separately or jointly at his/her discretion.

The chair can also convene an executive committee meeting and within five (5) workdays to respond to the grievant in writing with a final decision. In all instances, a thorough and fair investigation takes place, considering the rights and dignity of the people involved. The chair reports the grievance and the result at the next regularly scheduled board meeting.

## VIII. Monitoring, Evaluation and Development of the CIRM

### Annual report on complaints and incidents

Equality Myanmar will summarize the organizational learnings from the complaints and incidents handling and reflect in organization annual report. The report will not reveal any information about the details of complaints and incidents. The annual report focuses on learnings and how Equality Myanmar will improve its work through these learnings.

### Monitoring and Evaluation of the CIRM

The development team is responsible for monitoring EQMM’s CIRM. This will be carried out:

- Through liaison with staff members at all levels
- By follow up of the implementation of the system
- By follow up of the awareness raising of the policy
- By assessing quality assurance and accountability

## **ANNEX 1: Confirmation Letter**

To [ name of person]  
Date

Dear [ name of person]

Equality Myanmar (EQMM) is hereby confirming that your concern has been received through our Complaints and Incidents Response Mechanism. Your concern will be forwarded to EQMM's management committee (M-COM). If more information is needed, the responsible management committee member will contact you as soon as possible.

EQMM handles all complaints and incidents with confidentiality.

The outcome of the investigation will be communicated by the responsible management committee member. If the outcome of the complaint is not accepted, you may appeal within 30 days.

Sincerely,

[Name of person who sends the letter]  
[Title of person who sends the letter]  
Equality Myanmar

## ANNEX 2: Complaints/Incidents Report Form

Complaint/Incident Report Form			
Date of complaint/ incident:	___ / ___ / ___	Time of complaint/ Incident	_____ am/pm
Location: (Include address, where applicable)			
Name of person completing form:			
Position of person completing form:		Contact number:	
Employees, Volunteers, Interns involved in complaint/incident:			
Name:		Contact number:	
Partners, Beneficiaries, other individuals involved in complaint/incident:			
Name:		Contact number:	
Description of complaint/incident and background:			
(Include all relevant circumstances and information leading up to the incident, whether the incident was witnessed, and any other relevant issues.)			

<b>Who was informed of the complaint/incident?</b> (For example, supervisor, police, so on)	
<b>Actions taken to date:</b> (Including date and time of contact, contact number, and other contact numbers of agencies or people who were informed, as well details of support provided.)	
1.	
<b>Follow up actions planned:</b>	
1.	

<b>Complaint/Incident Report Form authorized by:</b>	
_____	Date: ____ / ____ / ____
(Signature of Complainant)	
_____	

Terms and Conditions:

Please click the box and sign below to agree to the Terms and Conditions.

I understand that by signing this form I am stating that the information I have supplied provides a true and correct representation of the events that have occurred and that have prompted this complaint. I hereby declare that the above statement is true to the best of my knowledge and belief.

Signature: \_\_\_\_\_ Date: \_\_\_\_

**ANNEX 3: Complaint/Incidents Investigation Report Form**

Type of Allegation(s)	
Name/Post of employee(s) subject to investigation	
Name of complainant (if appropriate)	
Investigator (s)	

<b>Description of complaint/incident and background:</b>
<p>This may cover:</p> <ul style="list-style-type: none"> <li>• How did the issue come to light?</li> <li>• Have any other actions been taken prior to the investigation?</li> </ul>
<b>Types of Investigation</b>
<p>This may cover:</p> <ul style="list-style-type: none"> <li>• What specific allegations/concerns (by bullet points) were investigated?</li> </ul>
<b>Investigation Process</b>
<p>This may cover:</p> <ul style="list-style-type: none"> <li>• A brief description of method(s) used to gather information</li> <li>• A record of what interviews/statements were undertaken and documents reviewed</li> </ul>
<b>Witnesses</b>
<ul style="list-style-type: none"> <li>• List of witnesses interviewed</li> </ul>

<b>Findings</b>	
This should cover:	
<ul style="list-style-type: none"> <li>• A summary of findings and observations for each specific allegation/issue of concern investigated, cross-referencing any documentation where needed</li> </ul>	
<b>Conclusions and Recommendations</b>	
This may cover:	
<ul style="list-style-type: none"> <li>• For each concern/allegation investigated an overall opinion based 'on the balance of probabilities' on whether there is evidence to support allegations made</li> <li>• Recommendations on whether further actions under the relevant employment procedure should be taken</li> </ul>	
<b>Decision – Action to take</b>	
<ul style="list-style-type: none"> <li>• The investigators will propose to close the case and what actions that shall be taken.</li> </ul>	
<b>Lesson Learned</b>	
<ul style="list-style-type: none"> <li>• A case may give Equality Myanmar a new insight or help the organization to improve our work. Give a reflection regarding lessons learnt in this case, and how it will be incorporated for future work.</li> </ul>	
<b>Appendices</b>	
<ul style="list-style-type: none"> <li>• These should be attached and may include witness statements, investigatory interview notes, chronology of events etc.</li> </ul>	
Signed by Investigator (1)	
Name	
Position	
Date	

Signed by Investigator (2)	
Name	
Position	
Date	
Signed by Investigator (3)	
Name	
Position	
Date	