



Complaints procedure Verre Naasten

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Foreword

The Association Verre Naasten aim to treat all internal and external relations carefully. Nevertheless, it is human work and mistakes can (unintentionally) be made. In order to rectify these mistakes as best as possible, Verre Naasten has a complaints procedure. This document tells you how and where to report a complaint and how your complaint will be dealt with.

This document is meant for internal and external relations. Verre Naasten finds it very important that complaints can be reported. Of course, the complainant can always talk to the manager, the director or one of the members of the Supervisory Board. If this is not possible, the complainant can contact the confidential advisor or report a complaint to the complaints committee. This does not alter the fact that in all cases the complainant has the option of reporting to another appropriate body, such as the Labour Inspectorate or civil, administrative and/or criminal courts.

1 General provisions

Article 1: Definitions

For the purposes of these regulations, the following definitions shall apply:

1. **Complainant:** a person or authority making use or having made use of the service of Verre Naasten or otherwise having been in contact or contacted Verre Naasten. The complainant may also be a legal representative, authorized representatives or next of kin. Co-workers cannot make use of these complaints regulations
2. **Complaint:** each expression of dissatisfaction by a complainant with the performance of (a co-worker of) Verre Naasten, uttered by complainant. The dissatisfaction may relate to actions and decisions or the failure to do so in respect of the complainant.
3. **The accused:** every co-worker of Verre Naasten or Verre Naasten themselves about whom a complaint has been filed.
4. **Verre Naasten :** by Verre Naasten is understood: All co-workers associated with Verre Naasten. Likewise all co-workers of one of the members of the national teamwork mission.
5. **Co-worker:** a person (paid or unpaid, trainee or else), working for Verre Naasten.
6. **Complaint handling:** the procedure in which the Complaints committee finally gives an opinion or comes to a decision on the merits of the complaint or on the complaint handled, whether or not accompanied by recommendation(s).
7. **Complaint mediation:** intervention aimed at resolving the problem which caused the dissatisfaction of the complainant.
8. **Complaints Committee:** Committee established by Prisma regarding these complaints regulations.
9. **Prisma:** is an association of Christian organisations active worldwide in development cooperation and diaconate. Verre Naasten is one of the members of Prisma.

Article 2: Objectives

The objectives of this regulation are:

1. Taking the complainant seriously by having the complaint independently assessed.
2. Restoring the relation of trust between Verre Naasten and the complainant.
3. Improving the quality of functioning of Verre Naasten.

Article 3: Confidentiality

1. Anyone who, in the context of these regulations, receives information whose confidential nature he/she knows or should reasonably suspect, shall be bound to secrecy, subject to legal requirements.
2. The complaints committee, or the in article 4.1 mentioned confidential adviser, or the in article 4.3 mentioned complaints mediator, will communicate under article 3.1 the duty to confidentiality to the complainant and the accused, prior to the complaint handling or mediation of the complaint.

Article 4: Complaints mediation

1. There is no need to immediately take care of a complaint, lodged by the complainant, by the Complaints Committee. The complainant may first turn to the confidential advisor of Verre Naasten with his notification.

2. The confidential adviser, together with the complainant draws up an inventory of the situation, stands beside the complainant and tries, together with the complainant, to reach a workable solution.
3. If mediation is necessary, the confidential advisor, in consultation with the complainant, will seek a suitable mediator. The confidential advisor does not himself mediate. In mediation (as opposed to filing a complaint) no investigation takes place and no judgement is made about the plausibility of the content of the report. It is aimed to stop undesirable behavior. The method of mediation may vary per situation. During mediation it is being discussed which behavior is perceived as undesirable, and that behavioral change is expected in future.
4. If the mediation attempt is not successful, or the complainant is not satisfied with the outcome of de mediation procedure as under article 4.3, the complaint can still be submitted to the Complaints Committee.
5. The complainant may also apply directly to the Complaints Committee. If the Complaints Committee believes that mediation is still possible, it may ask if the complainant is willing to do so. That decision is up to the complainant.

2 The complaints committee

Article 5: Composition and establishment

1. The complaints committee consists of three people and three deputy- members.
2. The composition is as follows:
3. An independent chairman and two members, who are not administratively involved, and/or may be employed by Prisma, or any of its affiliated members.
4. The members are appointed by the chairman of Prisma, in consultation with the Prisma Board. Prisma provides secretarial support of the complaints committee.
5. The members of the complaints committee are appointed for a period of four years, after which they may be re-appointed once.
6. The members of the committee have a duty of confidentiality.

Article 6: Challenge and apology

1. The complainant may object to participation of dealing with the complaint (challenge) by one (or more) member(s) of the complaints committee, if it appears that regarding that member or circumstances, forming an impartial opinion regarding the complaint, would be difficult.
2. The other members of the complaints committee decide whether the objection is valid. In case of a tie it is decided that objection is valid. This decision is communicated in writing to the complainant and the accused.
3. One or more member(s) of the complaints committee may abstain from handling a complaint (excusing him/her) if facts or circumstances arise in relation to that member, which would make it difficult to form an impartial opinion of the complainant. He/she is obliged to do so, if remaining members of the complaints committee, taking part in the handling of the complaint, consider that the aforementioned facts or circumstances arise with regard to him/her.
4. In the event of a justified challenge or apology the member involved shall be replaced.

Article 7: Without charge or consultation

1. The members of the complaints committee take part in the complaint handling process without charge or consultation.

Article 8: Termination of membership

1. Membership of complaints committee is terminated:
 - a. When committee member terminates membership;
 - b. When committee member is deceased;
 - c. When period of appointed committee member is expired;
 - d. When committee member (whether or not on request of other committee members) or chairman of Prisma is exempted from his/her function because of:
 - i. Neglect of his/her duty;
 - ii. Other important reasons on account of which maintaining as a member cannot be desired;
 - e. By removal of a committee member based on not fulfilling section 3.1 of this regulation;
 - f. When a committee member starts employment with Verre Naasten (paid, unpaid, as a trainee, or otherwise).

Article 9: Tasks

1. After having received complaint, members of the complaints committee look into the case and views thereof of parties.

2. The complaints committee passes on the verdict about the validity of the complaint within the time limit as agreed on in this regulation. It notifies in writing the outcome, to complainer, accused, director and chairman of the committee of the Supervisory Board of Verre Naasten and, explained in detail.
3. With reference to the findings, the complaints committee may advise director and chairman of the committee of the Supervisory Board of Verre Naasten. They may signalize structural shortcomings in the service of the organization of Verre Naasten.
4. The complaints committee takes care of well registering of lodged complaints.

Article 10: Authority

1. The complaints committee has, in executing its duties, the following authority:
 - 1.1 Summoning and hearing of complainant and accused.
 - 1.2 Summoning and hearing of other persons related to the filed complaint.
 - 1.3 Obtaining information and inspecting documents, following the consent of the complainant and the accused and in compliance with legal provisions.
2. The complaints committee judges the complaint and it may advise about what actions to take.
3. The complaints committee may come to the conclusion, that it is not authorized regarding the lodged complaint. In that case the complaints committee has to refer to an authority who – in its opinion – is authorized in this case.

3 The complaint

Article 11: Submission

1. The complaint shall be submitted in writing to the Complaints Committee. The complaint should state at least:
 - 1.1 The name of the complainant.
 - 1.2 Possibly the name of his/her legal representative, agent or next of kin.
 - 1.3 The name of the accused.
 - 1.4 The reason for the complaint.
 - 1.5 The date or dates when the facts from which the complaint arose took place.
2. The complainant may receive assistance in putting the complaint in writing. Such assistance may be provided by the confidential adviser.
3. Both complainant and accused have the right to be assisted.

Article 12: Admissibility

1. The complainant's complaint is admissible if it relates to events that took place after the entry into force of these complaints regulations.
2. Anonymous complaints are not considered. However, they are recorded to serve as a guide for improving service quality.
3. The complainant's complaint is inadmissible if a decision has already been made by the Complaints Committee on this complaint, unless new facts have arisen.
4. The complainant's complaint is also admissible if the person charged is no longer employed by or on behalf of Verre Naasten.

4 The procedure

Article 13: Handling of the complaint

1. The handling of the complaint, which the complainant may send by e-mail to klachtencommissie@prisma.org, will be carried out by at least three members of the Complaints Committee.
2. The Complaints Committee will send an acknowledgement of receipt of the complaint to the complainant within five working days. This acknowledgement of receipt will inform the complainant of the procedure and the time of consideration.
3. If, in the opinion of the Complaints Committee, a complaint does not contain sufficient information, it will give the complainant the opportunity to provide additional information within four weeks.
4. The Complaints Committee ensures that the accused is informed of the content of the complaint filed against him or her and the procedure to be followed within two weeks of receiving the (additional) complaint.
5. The Complaints Committee requests the accused to respond to the content of the (additional) complaint within three weeks.
6. The complainant has the opportunity to respond to this within two weeks.
7. The accused will have the last chance to respond within two weeks.
8. If the Complaints Committee deems it necessary or if one of the parties so requests, the parties will be heard separately. The Complaints Committee may only include any resulting information in its assessment if the other party has been given the opportunity to respond.
9. The Complaints Committee has the power to summon and hear witnesses. It does so at a time when both parties still have the opportunity to defend themselves.
10. If the Complaints Committee considers that it has all the necessary information, it will allow an oral hearing of the complaint to take place. The parties may indicate if they do not wish to be jointly present at the oral hearing. In addition, they may request that the complaint be dealt with in writing.
11. The Complaints Committee shall ensure that both parties can take full and timely notice of all submissions and statements.
12. If the Complaints Committee considers that it has enough information about the complaint, it may reach a decision. It may also issue the ruling in writing if it considers that an oral hearing is not necessary.
13. Sessions of the Complaints Committee are not open to the public.
14. The Complaints Committee does not take a passive stance.

5 The ruling

Article 14: Ruling

1. If possible, the Complaints Committee will decide on the merits of the complaint and on the measures to be imposed or taken within six weeks of receiving the complaint, but at the latest within three months. The decision on the merits of the complaint is binding. The chairman of the complaints committee shall notify the parties concerned if the three-month period is deviated from.
2. The Complaints Committee decides by majority vote.
3. The Complaints Committee must give proper reasons for its decision.
4. The Complaints Committee sends its decision to the complainant, the accused and the director and the chairman of the Board of Trustees of Verre Naasten within one week from the date of the decision.
5. In urgent cases, the chairman of the Complaints Committee makes a provisional ruling, after which the complaint is considered in the standard procedure.

Article 15: Consequences of the ruling

1. The director and the chairman of the Supervisory Board of Verre Naasten shall notify the complainant and the Complaints Committee in writing within one month of receiving the Complaints Committee's opinion as to whether he will take measures as a result of that opinion and, if so, what these are. If this period is deviated from, the director and the chairman of the Supervisory Board of Verre Naasten will notify the complainant and the Complaints Committee, stating the period within which the director and the chairman of the Supervisory Board of Verre Naasten will make their views known to them.
2. Deviation from the advice or recommendation of the Complaints Committee on the measures to be taken must be duly justified by the director and the chairman of the Supervisory Board of Verre Naasten.
3. In all cases, the complainant retains the option of also turning to another appropriate body, such as Labour Inspectorate or civil, administrative and/or criminal courts.

6 Report

Article 16: Registration

1. The Complaints Committee will ensure registration of complaints submitted to it. It will also register anonymous complaints.
2. A file will be kept on the handling of the complaint. The file contains all documents relating to the complaint, including the date of entry, confirmation of receipt and settlement, the person handling the complaint and the outcome of the settlement.
3. The records shall be kept in such a way that the privacy of those involved is guaranteed. The file shall be confidential.
4. The Complainant and the Accused have the right to inspect the file. They will submit a written request to this end to the Complaints Committee. Unless inspection is refused, inspection must take place within one month after submission of the request. Inspection may only be refused if inspection would cause disproportionate harm to one of the parties or a third party. The applicant shall be informed of such refusal in writing, stating the reasons.
5. Records and files shall be kept in the archives for five years, unless the complainant requests their destruction earlier. The records shall not be accessible to unauthorized persons. After the expiry of five years, the records shall be destroyed.
6. Further rules regarding the processing of personal data are laid down in a separate privacy statement that will be sent to the Complainant and the Accused upon written request.
7. Notifications - these are complaints for which the Complainant only wishes registration and no further action - and complaints that are withdrawn during the treatment will also be registered.

Article 17: Annual report

1. The Complaints Committee prepares an annual report based on the records in which it reports to Verre Naasten on its work in handling complaints in the preceding calendar year, unless the Complaints Committee did not handle any complaints. The data is anonymized and the report is public.

7 Final provisions

Article 18: Costs

1. For the procedure of handling a complaint by the Complaints Committee, no fees will be charged to the complainant and the accused.
2. If the complaint is declared manifestly well-founded by the Complaints Committee, the complainant may receive a refund of some expenses incurred by the complainant in connection with the complaint procedure. These may include travel expenses and copies or postage of documents.
3. The cost of calling a witness, or a representative, or someone to assist you will be borne by the person who calls them.
4. To be eligible for compensation, the complainant shall submit a reasoned request to the Complaints Committee.

Article 19: Facilities for the complaints committee

1. The director of Prisma shall provide the necessary facilities and resources for the proper functioning of the Complaints Committee.
2. The director of Prisma appoints an Official Secretary. The Official Secretary provides administrative support to the Complaints Committee. For example, he or she is responsible for the timely announcement of meetings, the distribution of documents to committee members, complainant and accused, the registration referred to in Article 16 and the annual report referred to in Article 17.
3. Members of the Complaints Committee receive an expense allowance from the director of Prisma.

Article 20: Power to amend

1. As an advisory committee, the Complaints Committee is part of Prisma. Only the director, in consultation with the Prisma Board, is authorized to amend these complaints regulations. It does so after hearing the Complaints Committee.
2. If a situation is not provided for in these regulations, the Complaints Committee must submit it to the director of Prisma, which then has the authority to fill the gap in any way it wishes.
3. The Complaints Committee is authorized to draw up its own by-laws.

Article 21: Publication

1. The director of Verre Naasten shall ensure that the existence of the complaints regulations is adequately publicized, both internally and externally.
2. The complaints procedure can be found on the website of Verre Naasten.