# CHAPTER 6:  LWF/DWS Accountability Framework
### (Revised March 2011)

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# 1. ACCOUNTABILITY IN LWF AND DWS - SCOPE AND DEFINITION

## 1.1. Accountability as a Core Value:

In the Strategic Plan for the LWF Secretariat 2007-2011, accountability is established as one of the four core values – "basic convictions and attitudes that mark what we are and what we seek to realize through our action."

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**LWF Core Value: Accountability**

**Resources and responsibilities for decision-making, which God has entrusted to us, should be used in ways that are mutually transparent and answerable to the member churches, its constituents and the communities.**

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Similarly, the actions of World Service are guided by its core values, which include accountability and transparency, as a fundamental component of the DWS Global Strategy 2007-2012.

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**DWS Core Values: Accountability and Transparency**

**World Service maximizes its capabilities through responsible stewardship of all entrusted resources. This is complemented by the highest standards, flexibility and pragmatism in program implementation—balancing accountability towards the affected population and the expectations of partners and back donors. World Service is committed to transparency of its motives and aims, as well as its financial transactions.**

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One of the DWS Strategic Approaches is the Empowerment Approach, according to which people must be actively involved in all aspects of their development, from assessment to planning to implementation, monitoring and evaluation. Accountability is also a cornerstone of the DWS Organizational Strategy:

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**DWS ORGANIZATIONAL OBJECTIVE 2**

**World Service staff carries out high quality work in an accountable and transparent manner.**

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Among the strategies to accomplish this objective is the development of approaches that are participatory, people-centered and rights-based, and that promote community empowerment, advocacy and integrated development.

**1.2.** **Definition of accountability in DWS**:

Accountability is a fundamental aspect of the DWS governance, strategy and operational implementation. ***Accountability is taking responsibility towards affected populations and primary focus groups, DWS staff, DWS governance and external stakeholders, for actions undertaken, decisions made, and policies complied with.***

**1.3** **LWF Staff Code of Conduct regarding Abuse of Power and Sexual Exploitation**

Basic ethical commitments are to be lived out in the work of the Lutheran World Federation. These include
- o respect for the dignity and integrity of all human beings
- o fair and just treatment of all, without discrimination, exploitation or harassment
- o responsible stewardship in the exercise of power and use of financial and other resources.

All employed by the organization are expected to comply with these commitments.

The Code of Conduct is intended to serve as a guide for LWF staff to make ethical decisions in their professional lives and at times in their private lives.  It is designed to assist staff to better understand the obligations placed upon their conduct.  It refers to any kind of misuse of power and exploitation in the working relationships among LWF employees and with those they serve.  The LWF Code of Conduct is found as **ANNEX 1.**

## 2. LWF/DWS MECHANISMS AND COMMITMENTS TO SUPPORT THE IMPLEMENTATION OF ACCOUNTABILITY

This chapter elaborates the mechanisms and commitments which LWF/DWS will be held accountable for.  It includes elements, dimensions and levels of accountability, and a listing of mechanisms and commitments to achieve external and internal accountability.

**2.1.** **Elements of  Accountability**

**2.1.1** **Participation**
The core approach of World Service reflects the respect for all peoples' gifts for the sake of the fuller participation and inclusion of all people in society. LWF/DWS listens to the affected populations and primary focus groups that it assists, incorporating their views in actions and decisions which impact on them.

Standards of Engagement
LWF DWS programs and projects are grounded in Standards of Engagement.  Any project should:
- o seek to address poverty and marginalization
- o be based on a coherent analysis and understanding of the situation and its context
- o be designed so that it focuses on people
- o be clear on how it integrates gender and environment
- o be oriented towards achieving results and demonstrating them
- o be able to clearly indicate the relationship between an activity, a result and its cost
- o be clearly transparent and accountable at all levels – to the poor we work with and to our supporters
- o be based on genuine participation of all actors
- o be a vehicle of learning for all those involved

Participatory Approach

It is process through which stakeholders influence and share control over development and emergency initiatives and the decisions and resources which affect them. Unless the focus groups and affected populations are given an opportunity to participate in the development of interventions designed to improve their lives, they will continue to miss the benefits of any intervention.

The need for stakeholder ownership is important and is part of accountability. Ownership of a project by stakeholders involves ensuring the widest possible participation. Participatory approaches means that the community and stakeholders are collaborators in a project at every stage of project development. Thus, participative methods are meant to generate a sense of ownership of decisions and actions. Participatory approaches can also challenge perceptions, leading to a change in attitude and agendas.

### 2.1.2   Transparency and Information Sharing
World Service is committed to transparency of its motive and aims, as well as its financial transactions. In that connection DWS is committed to making, in a responsible manner, information available to affected populations and primary focus groups, agency staff and other stakeholders, including organizational background, accountability framework, plans, progress reports, and complaints handling procedures. LWF/DWS ensures that all stakeholders have access to this information in timely and clear ways and through appropriate languages, format and media.

### 2.1.3   Monitoring and Evaluation
DWS monitors and evaluates its programs and projects to learn from experience in order to improve the effectiveness of the work we do. This is also a way to document the use of the resources according to the results planned as well as the use of the financial resources. This ultimately means that monitoring and evaluation are amongst many tools to provide its stakeholders with accountability. The monitoring and evaluation process, procedures and mechanism are explained in Section III.

### 2.1.4.  Complaints Mechanism Policy and Procedure
-       Complaints:  The purpose of the mechanism is to have a transparent process in place on how to concretely respond to and address any issues or concerns, including allegations of sexual exploitation, fraud, corruption, mismanagement or abuse of power. Managerial and individual staff accountability to ensure compliance is a critical component of the success of the Code of Conduct.  The complaints mechanism is applicable to both emergency and development operations, and enables stakeholders (individuals or communities with whom LWF/DWS works), partner organizations, members of the public and staff to raise complaints and to receive a response.  The LWF/DWS Complaints Mechanism Policy and Procedure is found as ANNEX 2.
-       Investigation:  If a complaint warrants further action, then a proper investigation is conducted according to LWF/DWS guidelines for investigation, found as APPENDIX 6 to the Complaints Mechanism Policy and Procedure.


### 2.1.5.  Staff competence, behavior and attitudes
Competent DWS staffs are a key element of accountability. Staff recognize the importance of accountability, and apply all aspects of accountability in the performance of their duties and responsibilities.  LWF/DWS ensures that staff have the necessary competencies to enable them  to meet organizational commitments and operational requirements.

### 2.1.6.  Continuous Learning
It is the aim of World Service to be a learning organization and thereby constantly to improve the quality, the efficiency and the coherence of its work. World Service also wants to develop

and improve on mechanisms through which communities and partners can also hold World Service accountable as duty-bearers towards them.

World Service will continue to develop and share standards of best practices across programs and with partners.

## 2.2. Dimensions of accountability:

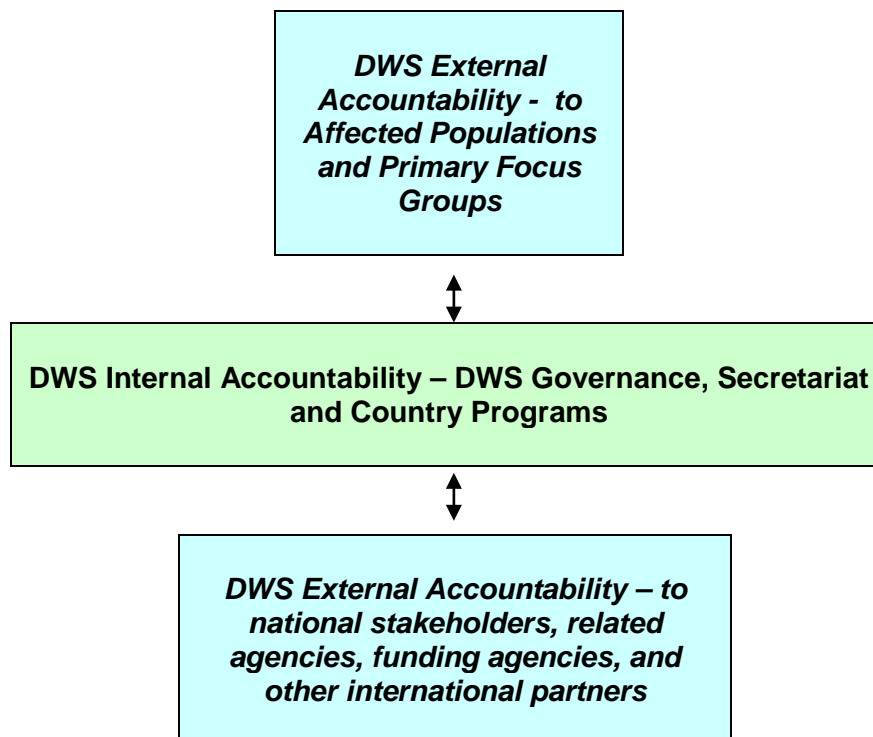According to the LWF/DWS policies and strategies, accountability has several dimensions to be taken into account:

- **Political dimension**: to hold governments accountable (in providing services, respecting covenants and agreements, human rights, etc,) is one of the DWS inherent aims. Government officials should be accountable for the best use of public resources and implementation of social laws.  This is an aspect of enforcement (and is related to the DWS rights-based approach guidelines).

- **Management dimension:** Internal rules and regulations are mechanisms to hold managers (Representative, Program/Finance Coordinators, and other heads of unit or supervisors) within the administration of the organization accountable. DWS should have independent "control" mechanisms to scrutinize and hold people and programs accountable. Apart from internal checks, these "control" mechanisms accept complaints from any stakeholder to hold DWS staff accountable to the affected people, and not merely to LWF/DWS related agencies and back-donors.

- **Professional/capacity dimension:**  DWS staff are also bound by professional codes, norms and standards established in the light of LWF/DWS strategy and the different codes  to which DWS is a signatory (Sphere, Code of Conduct, etc.).  Professionals are obliged to meet professional standards (efficiency and efficacy) and have the adequate qualifications to carry out their activities.

- **Program dimension:**  DWS should aim to provide appropriate and sustainable services for the affected population. With this perspective, there are comparisons and competition between different actors to service delivery, which ideally improves quality of service. The standard of assessment for accountability is therefore responsiveness of humanitarian and development organizations to the affected population (beneficiaries).

- **Stakeholder dimension:**  Within this perspective, DWS will be accountable if voices from all stakeholders are heard. Moreover, DWS is obliged to empower members of staff and communities on the real meaning of accountability. DWS is ready and prepared to give an explanation or justification to relevant stakeholders for its judgments, intentions, acts and omissions when appropriately called upon to do so.

- **Partnership dimension:  Among the key stakeholders are DWS partners.  DWS concludes formal arrangements for working jointly with partners to achieve specific operational goals, where each agency's roles and responsibilities are set out in a written agreement.  DWS is committed to working in partnerships based on mutual accountability, trust, respect, and continual improvement.**

- **Ethical dimension:** For DWS, accountability is tied up with Christian values, common morality, professional ethics and law. DWS accepts responsibility for errors, misjudgments and negligence and recognition for competence, conscientiousness, excellence and wisdom. DWS is prepared to change in the light of improved understanding gained from its own actions and from others'.

**- Stewardship/good governance dimension:** Good governance is a key requirement for accountability. DWS is accountable to the affected population and to its institutional stakeholders and its Standing Committee. DWS is accountable to those who will be affected by its decisions or actions. DWS strategic plan emphasizes the main dimensions of good governance: participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society.

## 2.3.   Levels of accountability:

The DWS accountability framework is both horizontal and vertical.  It includes accountability to affected populations, internal accountability within DWS, and accountability to national stakeholders, related agencies, funding agencies, and other international partners.  DWS effective participation with all these persons and organizations is the basis for effective accountability.  These three levels of accountability intersect at the field level, through operational implementation which is the foundation and essence of the work of DWS and its Country Programs.

**DWS LEVELS OF ACCOUNTABILITY**

*DWS External Accountability -  to Affected Populations and Primary Focus Groups*

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**DWS Internal Accountability – DWS Governance, Secretariat and Country Programs**

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*DWS External Accountability – to national stakeholders, related agencies, funding agencies, and other international partners*

### 2.3.1.DWS External Accountability to affected populations and primary focus groups:

First and foremost, accountability of DWS and its Country Programs is to affected populations and primary focus groups (marginalized and vulnerable poor people whose livelihoods are

threatened by the effects of natural and human-made disasters, with special regard to internally displaced persons and refugees, women and those affected by HIV and AIDS).

The DWS Planning, Monitoring and Evaluation (PME) System fully integrates primary focus groups into operational activities in the field, and is especially in evidence in project and community activities.  For example,
- Initial assessment, project design and p**roject planning** are participatory processes owned by primary focus groups, as well as being facilitated by field project staff and involving other local or national stakeholders.
- **Project implementation, monitoring and assessment** necessarily involve primary focus groups, to see whether desired changes are taking place.
- **Project evaluation and end-of-year assessments** include participation of primary focus groups, to ensure that the funds and resources were used responsibly.  LWF/DWS learns from experience to continually improve its performance.

**ANNEX 3, LWF/DWS Examples of PME Documents emphasizing Accountability and Participation of Primary Focus Groups,**  depicts in chart form the various aspects of the project cycle and the respective involvement of primary focus groups.  Accountability is achieved through their participation, and through the transparency of the various processes, from planning through evaluation.  This Annex similarly shows the importance of communities in their involvement in Community Plans.

### 2.3.2. DWS Internal Accountability (Governance, Secretariat, and Country Programs) - components and tools:

Accountability to primary focus groups and affected populations, as the cornerstone of DWS work, is also an essential part of internal accountability.  DWS operates multi-layered systems, controls and procedures which facilitate accountability both within DWS (between Country Programs, the DWS Secretariat, and the DWS Governance), and externally to primary focus groups and to donors and other interlocutors.   The main DWS tools used to ensure accountability are:

- **LWF/DWS Policies and Guidelines**:  Accountability mechanisms are intrinsic to the various LWF and DWS policies and guidelines (e.g., the PME System, Finance guidelines) which are included in the Operations Manual.  Some are referred to below.

- **LWF/DWS Accountability to its Governance:** A critical link in the chain of accountability to Governance occurs when members of the LWF Program Committee through the DWS Standing Committee sews delegate comprehensive policymaking authority to executive staff. SCWS members have the responsibility to monitor these executive staff and hold them accountable. The SCWS ensures that the DWS mandate is followed and the different policies are adopted.  The SCWS also participate directly in policymaking and supervise their application, through extensively reporting system and exposure visits.

- **The PME System:**  Some aspects of the PME system relating to projects have been described above.  At a broader level, the development of the Country Strategy and Country Operational Program Plan involve participation by, and accountability to, national stakeholders (governments, others working in the country).  The **DWS "Quality Framework"** shows the correlation between DWS (the "We"), the DWS work ("Our Work Is"), and the people to whom DWS is accountable ("Our Stakeholders").  This "Quality Framework for DWS" is found as **ANNEX 4**.

- **Internal Control Systems**:   These systems promote and facilitate accountability within DWS and its Country Programs.  They are summarized in Chapter 5 of this Section,

and include the PME System, a variety of financial control systems, internal audit and external audit.

-       **Whistle Blowing**: All countries are to set up Whistle Blowing procedures to enable staff to voice concerns in a responsible and effective manner.  Where an individual discovers information which they believe shows serious malpractice or wrong doing within the organization, there should be arrangements to enable this to be done independently of line management. Section II (chapter 5.4) of the Manual includes the principles and guidelines on whistle blowing.

-       **Complaints Mechanism Policy and Procedure**:   The complaints mechanism, and related investigation guidelines (see above, 2.1.4.).are fundamental tools of internal accountability.

-       **Risk Management Framework**:   The Risk Management Policy Statement and Strategy Framework are included in Chapter 5.  The Risk Management Matrix is another accountability tool which focuses on risks which affect (or potentially affect) Country Programs and the DWS Secretariat, and on actions to deal with the risks.

-       **Performance Review:**  Individual DWS staff accountability is fostered through the LWF Performance Review System.  This is also summarized in Chapter 5.

-       **DWS monitoring tools**:  Another dimension of accountability is monitoring, which is integral to all of the above DWS tools.  This includes monitoring in the PME system and at a broader level, through the DWS Geneva Compiled Work Plan, DWS Geneva Individual Work Plans, and the Annual Office Work Plans in the field.  Two types of accountability are used in monitoring:

- Technical accountability: demonstrating that activities are taking place, and that they and their costs are in line with plans and properly accounted for; and
- Substance accountability:  demonstrating that results are being achieved through the activities and the costs incurred.

### 2.3.3. DWS External Accountability (to national stakeholders, funding agencies, related agencies, governments, and other international partners):

-       **National stakeholders and partners**:  DWS is accountable to national stakeholders and partners for the effective implementation of operational activities.  Development and implementation of a Country Strategy and a Country Operational Program Plan (as well as in project activities) involves the participation of various stakeholders and interlocutors.

-       **Funding agencies**:  DWS is also accountable to donors (related agencies, Back Donors, others) for the wise and effective use of resources provided – financial, material, human, and other.  Country cooperation agreements, Memoranda of Understanding with governing bodies in a country (for Associate Programs) and project agreements are some of the official documents which stipulate responsibilities and accountabilities of DWS (and other signatories).  Chapter 2 of this Section summarizes these instruments.

-       **Related agencies**:  One specific aspect of related agency cooperation is activated through the Collective Monitoring Framework.  The objective is to systematize a shared or collective Country Program monitoring process, thereby serving the monitoring needs of World Service and the related agencies.  The "Country Program Monitoring Report" is shared with all other agencies funding that project or program.  For further information, see the PME Section of the Operations Manual.

- **Governments**: DWS and its Country Programs are accountable to Governments for activities which it has agreed to accomplish, as elaborated in a country cooperation agreement or other official DWS-Government document. This may include sharing of reports and financial statements.

- **Other international partners and development/humanitarian organizations**: This involves sharing of information, analyses and reports.

## 3 DWS ADOPTED ACCOUNTABILITY COMMITMENTS

LWF/DWS is a signatory of the following principles and policies emphasizing accountability. It also adopts specific practical guidelines from our major partner organizations, such as:

➢ Principles of the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOS in Disaster Response Programmes (ANNEX 5)
➢ ACT Code of Conduct on Sexual Exploitation, Abuse of Power and Corruption for Staff Members
➢ ACT emergency policies and guidelines
➢ ACT Organizational Capacity Assessment Guide and Tool
➢ SPHERE Standards
➢ UNHCR: Guidelines on Conducting Investigations and Preparing Investigation Reports
➢ HAP Standard

Please refer to **Section VIII** (Policies and Guidelines)

## 4 DWS PARTICIPATION IN EXTERNAL NETWORKS EMPHASIZING ACCOUNTABILITY

DWS is constantly involved in improving its Accountability Framework and accountability tools and procedures. Inter-agency cooperation and sharing of experience within the following networks are among the mechanisms used to facilitate such growth.

- **Steering Committee for Humanitarian Response (SCHR)**:
SCHR is an alliance for voluntary action, comprising eight major international humanitarian organizations, including LWF. The SCHR Peer Review Process is an example of collaboration on learning and accountability.

- **Inter-agency Standing Committee (IASC)**: The IASC has a number of forums, including the IASC Working Group and specific theme-related groups. DWS (representing LWF) participates in the Working Group on a rotating basis, along with the other eight SCHR members. The Working Group meets *3 times a year*.

- **International Council for Voluntary Agencies (ICVA):** LWF is a member of ICVA. DWS represents LWF and participates actively in ICVA meetings, forums and initiatives.

- **Humanitarian Accountability Partnership (HAP):**
HAP has developed the 2010 HAP Standard in Accountability and Quality Management. Organizations that meet the HAP Standard make a commitment to the HAP Standard

Principles (humanity, impartiality, neutrality, independence, participation and informed consent, duty of care, witness, offer redress, transparency, and complementarity), and to the specific requirements of the six benchmarks. By comparing an organization's processes, policies and products to the benchmarks, it is possible to measure how well the organization assures quality and accountability in its work. The benchmarks are:

1. Establishing and delivering on commitments
2. Staff competency
3. Sharing information
4. Participation
5. Handling complaints
6. Learning and continual improvement

LWF/DWS is a member of HAP and is participating in its certification process.

- **Transparency International**:
TI is a global civil society organization focused on the fight against corruption. It brings people together in a worldwide coalition to end the impact of corruption on men, women and children around the world. TI's mission is to create change towards a world free of corruption. In 2006 DWS signed a Memorandum of Understanding with TI for a project entitled "Preventing Corruption in Humanitarian Assistance".

- **ALNAP**:
The work of ALNAP is aimed at improving humanitarian performance through learning and accountability. ALNAP belongs to a loose grouping of organizations focused on improving quality and accountability in the humanitarian sector; the grouping includes the HAP and the Sphere Project. LWF/DWS is seeking a formal association with ALNAP.

- **Sphere Project**:
LWF/DWS is a member of the Sphere Board, and as such has been involved in the development of the Humanitarian Charter and Minimum Standards in Disaster Response. Among the minimum standards cited in the Charter is Common Standard 1 – Participation: "The disaster-affected population actively participates in the assessment, design, implementation, monitoring and evaluation of the assistance program." (Sphere Handbook, page 28) As noted above, participation of primary focus groups and affected populations is basic to DWS accountability to these groups.

- **Global Humanitarian Platform**:
The Global Humanitarian Platform (GHP) was created as an outcome of the 12-13 July 2006 Dialogue between UN and Non-UN Humanitarian Organizations. A Steering Committee was appointed to oversee the work of the Platform, which is to be "flexible, *ad hoc*, time-bound and action-oriented." In order to help ensure that there is a common understanding of the concept of partnership, "Principles of Partnership" (PoP) were endorsed at the July 2007 GHP meeting.

LWF/DWS is a participant in the Global Humanitarian Platform. As such, DWS has endorsed, and agreed to base its partnership, on the Principles of Partnership, found as ANNEX 6.

- **UN agency networks (UNHCR, WFP, OCHA, UN Humanitarian Appeal)**: DWS represents LWF in a number of United Nations networks, forums and meetings, which are also sometimes attended by ACT members. They include:

    - **United Nations High Commissioner for Refugees (UNHCR)** -  briefings on specific refugee or internally displaced person (IDP) situations.

- **United Nations Office for Coordination of Humanitarian Affairs (OCHA**) - briefings, such as on the annual Consolidated Appeal Process (CAP) and related Country Humanitarian Action ¨Plans (CHAP).
- **World Food Programme (WFP)** - annual meeting with NGOs:
- **United Nations Development Programme (UNDP)** – *to be completed*
- **United Nations Children's Fund (UNICEF**) – *to be completed*
- **United Nations Cluster Working Groups** – *LWF participates, in global and country level, in various UN clusters)*

## 5. REQUIREMENTS OF COUNTRY PROGRAMS

DWS Country Programs are expected to adhere to all aspects of accountability as found in this Accountability Framework.

DWS has developed an Accountability and Complaints Mechanism Start-up Kit (**ANNEX 7**). Its purpose is **to assist Country Programs in practical implementation of all aspects of accountability**. The Start-up Kit provides a listing of tasks (what should be done) and practical tools (how it can be done) to assist Country Programs:
- on implementing accountability; and
- on establishing and implementing a Complaints System.

# LWF STAFF CODE OF CONDUCT REGARDING ABUSE OF POWER AND SEXUAL EXPLOITATION

## A. Introduction

**Background**
Basic ethical commitments are to be lived out in the work of the Lutheran World Federation. These include
- respect for the dignity and integrity of all human beings
- fair and just treatment of all, without discrimination, exploitation or harassment
- responsible stewardship in the exercise of power and use of financial and other resources.

All employed by the organization are expected to comply with these commitments. These commitments call for special attention in international and multicultural work contexts where differences based on race, ethnicity, religion, gender, age or disability can lead to attitudes or practices that violate individuals' personal integrity or sense of what is appropriate. The temptations to misuse power, harass and exploit others, especially in relation to sexuality are considerable, and therefore must be constrained, whether in offices or in the field.

In countries and regions where LWF is present with Field Offices of the Department for World Service (DWS), poverty, conflict and displacement inevitably erode and weaken many of the social and political structures that are designed to respect and protect members of the community where these conditions have occurred or exist. The resources available to affected populations, and to the humanitarian community that is there to assist them, are frequently insufficient to meet basic needs. All too often, mechanisms for protection are not given sufficient priority. Against this background those affected find themselves in situations where they can be exploited or abused. In addition such an environment can provide opportunities for abuse of power and corruption by humanitarian workers.

Creating an overall atmosphere or organizational "culture," with ongoing awareness raising and educational efforts to prevent the abusive use of power and sexual exploitation, is crucial. It is important that, among all associated with the organization, understandings and practices be engendered and promoted that model responsible exercise of power and respect for the dignity and justice of all persons. Also, it is important that adequate care, counseling and healing be provided for those who are violated. At the same time, there is a need to have clear policies to address violations of these basic commitments.

**Code of Conduct**
In order to combat such practices, LWF has compiled a "Code of Conduct" which is intended to serve as a guide for LWF staff to make ethical decisions in their professional lives and at times in their private lives. It is designed to assist staff to better understand the obligations placed upon their conduct. It is understood that this code of conduct refers to any kind of misuse of power and exploitation in the working relationships among LWF employees and with those they serve.

The spirit in which this code of conduct has been developed is intended to strengthen, complement and enhance already existing "*Codes of Conduct*", rather than to detract from

them, including that of the ACT (Action by Churches Together) International Alliance on the same subject, it being understood that LWF is a founding member of ACT International.

**Environment**
Sexual exploitation can occur in many different environments: in a daily work context of an office, in travel and meetings away from the office, or in humanitarian crises where the dependency of affected populations on humanitarian agencies for their basic needs creates a particular ethical responsibility and duty of care on the part of LWF staff. Females are often particularly vulnerable. Managers have a responsibility to ensure that all staff are aware of this code of conduct and what it means in concrete behavioral terms and to ensure that there are proper mechanisms to prevent and respond to sexual exploitation. LWF must make every effort to create an environment where the dignity of all, particularly those most vulnerable, is safeguarded and to be clear that abuse of power and sexual exploitation will not be tolerated.

Particular attention must be given to situations in the field, especially in the context of humanitarian crises:
a) The lack of economic opportunities for displaced populations may result in commercial and exploitative sex being one of the few options for generating income to meet basic needs.
b) In cases where beneficiary communities come from an environment of gender-based violence, proper safeguards need to be put in place, to guard against similar patterns re-occurring or being exacerbated in places such as a refugee camp.
c) The usual social protections are not in place or are no longer functioning. Levels of protection and security are generally poor; justice and policing frequently do not exist in the displaced environment.

**LWF Employees in the Field (DWS)**
Among international and national employees, thousands of staff are engaged by LWF in a variety of work ranging from volunteers, casual laborers, drivers and warehouse guards to decision makers at the country, regional and international levels. Many of these staff are drawn from beneficiary communities themselves. This can blur distinctions between what constitutes professional and private relationships with other members of the beneficiary community. However, by accepting work with humanitarian agencies, humanitarian workers also have to accept the special responsibility of humanitarian care that goes with the job.

**Legal and Ethical Dimensions**
LWF staff have a particular responsibility to uphold these standards expressed in the following Code of Conduct, to set a good example and to create a working environment that supports and empowers staff. LWF has set a higher ethical standard than Swiss law, because it is a Christian non-governmental organization. When signing the Code of Conduct, the LWF employee should be aware of these ethical values. When the Code of Conduct is violated, disciplinary measures as outlined in Art. 21 of the LWF Personnel Policies will apply.

## B. LWF Staff Code of Conduct Regarding Abuse of Power and Sexual Exploitation

LWF staff must:
1) Uphold the highest standards of accountability, efficiency, competence, integrity and transparency in the provision of goods and services in the execution of their job.

2) Respect and promote fundamental human rights without discrimination of any kind and irrespective of social status, race, ethnicity, color, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability.

3) Treat all work colleagues, program beneficiaries and other persons fairly and with respect, courtesy, dignity and according to the respective country law, international law and local customs.

4) Never commit any act or form of harassment that could result in physical, sexual or psychological harm or suffering to individuals, especially women and minors.

5) Never exploit the vulnerability of any colleague or beneficiary group, especially women and minors, or allow any person/s to be put into compromising situations.

6) Never engage in any sexual activity with minors (persons under the age of 18) regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defense.

7) Never engage in sexual exploitation nor abuse of any person, colleague or beneficiary group (men, women and minors). This constitutes acts of gross misconduct and is therefore grounds for termination of employment.

8) Never exchange money, employment, goods, or services for sex, including sexual favors. All forms of humiliating, degrading or exploitative behavior are prohibited.

9) Particularly in the humanitarian context, never abuse their position to withhold assistance, nor give preferential treatment in order to solicit sexual favors, gifts, payments or personal gains of any kind. The employee should be conscious of not taking advantage of his/her position and may not accept gifts (except for small tokens of appreciation) or bribes.

10) Not engage in sexual relationships with beneficiaries. Such relationships are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work. (This rule applies to both during and after working hours.)

11) Not accept, solicit or engage in "buying" or profiting from sexual services. This is applicable both within and outside of working hours.

12) Create and maintain an environment that prevents abuse of power and sexual exploitation, and promotes the implementation of the code of conduct. Managers at all levels have a responsibility to support and develop procedures that maintain this environment, particularly related to gender inequities.

When this Code of Conduct is violated, LWF ensures that

13) Violations of these standards are immediately reported to senior management, any trusted colleague or a specially designated group, the local human resources manager or the LWF Director for Personnel who is expected to take prompt investigative action.

14) All confidential information, including reports of breaches of these standards by colleagues, obtained from beneficiaries or colleagues is channeled correctly and handled with utmost confidentiality.

15) Any violation of the Code of Conduct will result in disciplinary action in accordance with the respective LWF terms, conditions and regulations.

16) Any staff member purposely making false accusations on any action by another staff member, which is in breach of the code of conduct will be subject to disciplinary action at the discretion of the employer.

The signatory below has read, understood and is in agreement with the content of this document and specifically articles 1 to 16 of section B, the Code of Conduct, which shall be subject to periodic revision and review. The signatory also accepts the consequences of any violation of any of the above provisions under this Code of Conduct.

Name: ..............................................................................................................................
Position:...........................................................................................................................
Place: ............................................................. Date:...............................................................
Signature:.........................................................................................................................

## C. Key terms and definitions

For this Code of Conduct the following definitions are used:

**LWF Employees**

"LWF employees" include all staff with any contract established in Geneva or by the LWF Field Offices, to conduct activities outlined in their job descriptions or terms of reference. In addition any worker that is directly or indirectly involved with refugee or internally displaced communities is to be included under this definition.

**Abuse of power**

Viewed positively, power is the ability to act, especially in ways that respect and empower rather than dominate and oppress others. Those in positions of authority or trust are expected to carry this out in responsible and just ways that do not take advantage of others, especially those who are more dependent or vulnerable. This includes other staff persons, beneficiaries, and others related to the organization. In most situations, because of unequal power related to gender and age, women and children are particularly vulnerable. Abuse of power is manifested in how those with less social power are treated physically, psychologically, emotionally, and/or sexually. Sexual activity, even when consensual, between those of unequal power in this sense is an abuse of power.

**Corruption**

As a particular form of the abuse of power, corruption is the abuse of one's position for private gain, such as misusing the financial and other resources of the organization.

**Gender and power**

Gender is the English word being used to describe cultural/societal differences between males and females in terms of **roles** and **responsibilities,** expectations, power, privileges, rights, and opportunities. "Gender" refers to the differences between males and females that are rooted in culture, tradition, society, and religion. Gender is something that is learned from infancy. An individual or society's gender perspective can change.

Unequal power relationships provide the basis for sexual exploitation and abuse. Due to their unequal status, women and girls are particularly at risk of sexual exploitation and abuse. However, it is important to recognize that boys are also vulnerable to sexual exploitation and abuse.

**Sexual exploitation**

Sexual coercion and manipulation (includes all types of sexual acts) by a person in a position of power providing any type of assistance in exchange for sexual acts. In these situations, the potential victim believes she/he has no other choice than to comply; this is not consent and it is exploitation.

Exploitation is using one's position of authority, influence or control over resources, to pressure, force or manipulate someone to do something against their will or unknowingly, by threatening them with negative repercussions such as withholding project assistance, not

approving an employee's work support requests, threatening to make false claims about an employee in public, etc.

Sexual exploitation is any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another.

**Sexual harassment**
Sexual harassment means any unwelcome sexual advance, comment, expressed or implied sexual demand, touch, joke, gesture, or any other communication or conduct of a sexual nature, whether verbal, written or visual, by any person to another individual within the scope of work. Sexual harassment may be directed at members of the same or opposite sex and includes harassment based on sexual orientation. Sexual harassment can occur between any one or more individuals, employee or beneficiary, regardless of their work relationship.

**Sexual abuse**
Sexual abuse is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions.

**Discrimination**
Discrimination means exclusion of, treatment of, or action against an individual based on social status, race, ethnicity, color, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability.

**Harassment**
Harassment means any unwelcome comment or behavior that is offensive, demeaning, humiliating, derogatory, or any other inappropriate behavior that fails to respect the dignity of an individual. Harassment can be **committed by** or **against** any beneficiary, partners, employee or other individual visiting LWF.

**Minor**
A person under age 18 (a child according to the definition in the Convention for the Rights of the Child, CRC).

**Protection**
Ensuring that individual basic human rights, welfare and physical security are recognized, safeguarded and protected in accordance with international standards.
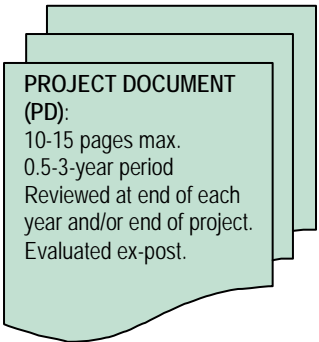
**Responsibility and accountability**
Consideration must be given as to the adequacy of internal systems to maintain standards of behavior. A breach of the code of conduct calls for sanctions established with the administrative rules and procedures of LWF.

**LWF Complaints Mechanism Policy and Procedure**

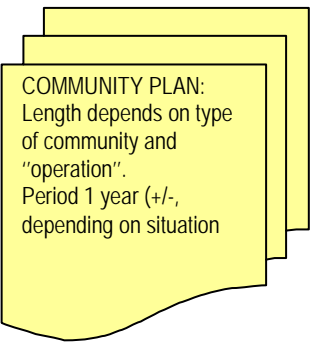**(** Cross-reference - see Chapter 5: Internal Controls and Procedures, ANNEX 3**)**

**LWF/DWS EXAMPLES OF PME DOCUMENTS EMPHASIZING ACCOUNTABLITY AND PARTICIPATION OF PRIMARY FOCUS GROUPS**

## PROJECT DOCUMENT (PD)

| | HOW IS IT USED AND BY WHO? |
|---|---|
| **PROJECT DOCUMENT (PD):** 10-15 pages max. 0.5-3-year period Reviewed at end of each year and/or end of project. Evaluated ex-post. | The Primary Focus Group(s), local partners and project management: <br>• to plan meaningful activities at suitable times and reasonable cost; <br>• to assess whether desired changes are taking place; <br>• to ensure funds and resources are used responsibly. <br>The DWS Country Programme & its national stakeholders: <br>• to ensure coherence with programme goals; <br>• to check whether project-specific results and impact are achieved; <br>• to monitor activities; <br>• to ensure accountability (activities in relation to costs); <br>• to foster in-programme learning; <br>• to verify the achievement of national programme objectives; <br>• for fundraising. <br>DWS as an 18organization: <br>• for monitoring activities and their impact (especially thematic); <br>• to ensure financial accountability: <br>• for fundraising: <br>• to foster inter-organizational learning. <br>The Related Agencies, funding agencies and other international partners: <br>• for funding decisions; <br>• to verify plans are followed; <br>• to verify appropriate use of resources; <br>• to assess results and impact. |

## COMMUNITY PLANS

These are not dealt with in detail because of the great variety in "communities" and their contexts, and their ways and capacities of planning and monitoring. Example used here is mainly applicable to a village community within an IRDP.

| | HOW IS IT USED AND BY WHO? |
|---|---|
| COMMUNITY PLAN: Length depends on type of community and "operation". Period 1 year (+/-, depending on situation | The community (the ultimate primary focus group): <br>• to decide together how they want to change their lives; <br>• to agree who does what, when, how and hence to ensure that things get done; <br>• to assess whether the desired changes are taking place. <br>The project staff: <br>• to ensure project activities address community needs; <br>• to ensure community plans are in line with project objectives; <br>• to assess progress in achieving project objectives; <br>• to assess positive change taking place. |

## QUALITY FRAMEWORK FOR DWS

| FOCUS: QUALITY AND ACCOUNTABILITY | | | | |
|---|---|---|---|---|
| **WE** therefore ➡ | | **OUR WORK IS** and ➡ | | **OUR STAKEHOLDERS** |
| ✓ Know what and who we are<br>✓ Know what we can and can not do (in a given context)<br>✓ Have the capacity and resources to do what we set out to do<br>✓ Know our stakeholders, respect them and listen to them<br>✓ Are responsible in our use of the resources entrusted to us<br>✓ Are transparent in all that we do | | ❖ <u>Relevant</u>: meeting the priority needs of the focus group<br>❖ <u>Efficient</u>: uses the available resources in the optimal way<br>❖ <u>Effective</u>: produces verifiable desired results<br>❖ <u>Sustainable</u>: the positive effects continue and multiply<br>❖ Reflecting the organization's <u>values</u><br>❖ Complying with <u>relevant international standards</u> | | ➢ Can verify that we are doing the right thing<br>➢ Can be assured that the resources are wisely used<br>➢ Can see we are achieving change<br>➢ Can intervene if they feel we are going in the wrong direction |
| (Organizational management & development) | & | (Field work) | & | (Relations and reporting) |
| <u>Key issues</u>: Identity & ownership; focusing & positioning; role and function of HQ vs field; capacity & its development; organizational structure & management systems (adm, fin, personnel…); financial planning; democracy & transparency. | | <u>Key issues</u>: Effective & consistently applied PME system; result orientation; impact assessment. Financial realism. Appropriate management structure and systems, also in relation with HQ. | | <u>Key issues</u>: Definition of relations; power-sharing; defining the "stake" of the stakeholders; transparency. |

This can be achieved through an effective **organizational management and development system** throughout the organisation, including an appropriate PME system at all levels of the organization, and a **quality assessment system** that is being used consistently.

Therefore, the <u>PME system</u> is developed in the direction that focuses on this "quality flow" and is integrated in all job descriptions. The system is decentralized, more focused, more process-oriented; encourages reflection, and looks beyond activities to their results.

# Code of Conduct
## for The International Red Cross and Red Crescent Movement and NGOs in Disaster Relief

## Introduction

The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief, was developed and agreed upon by eight of the world's largest disaster response agencies in the summer of 1994 and represents a huge leap forward in setting standards for disaster response. It is being used by the International Federation of Red Cross and Red Crescent Societies to monitor its own standards of relief delivery and to encourage other agencies to set similar standards.

## Principles of Conduct:

1. The humanitarian imperative comes first.

2. Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone.

3. Aid will not be used to further a particular political or religious standpoint.

4. We shall endeavor not to act as instruments of government foreign policy.

5. We shall respect culture and custom.

6. We shall attempt to build disaster response on local capacities.

7. Ways shall be found to involve programme beneficiaries in the management of relief aid.

8. Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs.

9. We hold ourselves accountable to both those we seek to assist and those from whom we accept resources.

10. In our information, publicity and advertising activities, we shall recognize disaster victims as dignified human beings, not hopeless objects.

## GLOBAL HUMANITARIAN PLATFORM
## PRINCIPLES OF PARTNERSHIP

- **Equality**

Equality requires mutual respect between members of the partnership irrespective of size and power. The participants must respect each other's mandates, obligations and independence and recognize each other's constraints and commitments. Mutual respect must not preclude organizations from engaging in constructive dissent.

- **Transparency**

Transparency is achieved through dialogue (on equal footing), with an emphasis on early consultations and early sharing of information. Communications and transparency, including financial transparency, increase the level of trust among organizations.

- **Result-oriented approach**

Effective humanitarian action must be reality-based and action-oriented. This requires result-oriented coordination based on effective capabilities and concrete operational capacities.

- **Responsibility**

Humanitarian organizations have an ethical obligation to each other to accomplish their tasks responsibly, with integrity and in a relevant and appropriate way. They must make sure they commit to activities only when they have the means, competencies, skills, and capacity to deliver on their commitments. Decisive and robust prevention of abuses committed by humanitarians must also be a constant effort.

- **Complementarity**

The diversity of the humanitarian community is an asset if we build on our comparative advantages and complement each other's contributions. Local capacity is one of the main assets to enhance and on which to build. Whenever possible, humanitarian organizations should strive to make it an integral part in emergency response. Language and cultural barriers must be overcome.

> # LWF/DWS ACCOUNTABILITY AND COMPLAINTS MECHANISM START-UP KIT
> ## (Updated February 2011)

**The purpose of the Accountability and Complaints Mechanism Start-up Kit is to assist Country Programs of the Lutheran World Federation (LWF)/Department for World Service (DWS) in practical implementation of all aspects of accountability**. Accountability is a core value of LWF/DWS. Accountability elements, dimensions and commitments are elaborated in the LWF/DWS Accountability Framework. But how can accountability be applied at country level, and strengthened, especially for primary focus groups? This Start-up Kit provides a listing of tasks (what should be done) and practical tools (how it can be done) to assist Country Program                          s:

- on implementing  accountability (Section I., pages 1-4);
- on establishing and implementing a Complaints System - sequence of 10 tasks (Section II. A., pages 5-6);
- on setting up a Complaints Mechanism (Task 6 of the Complaints System) (Section II. B., pages 7-8).

Various documents have been consulted in the preparation of this Start-up Kit, and are referenced in the **ANNEX.**

| | I.   ON IMPLEMENTING ACCOUNTABILITY: | | |
|---|---|---|---|
| | **TASK** | **PRACTICAL TOOLS** | **OTHER REFERENCES** |
| 1. | **Ensure accountability commitments,** as contained in LWF's mandate, mission, vision and core values, are made to staff, partners and populations. | - LWF/DWS Accountability Guide 2: "How to introduce LWF/DWS", and "How accountable are you?" | - LWF/DWS Global Strategy 2007-2012<br>- LWF/DWS Accountability Framework |
| 2. | **Ensure that LWF Code of Conduct regarding Abuse of Power and Sexual Exploitation is** understood and adhered to by staff (and signed by staff), incentive workers, and partners. | - Applying the LWF Code of Conduct | - LWF Code of Conduct |
| 3. | **Prioritize participation of populations and focus groups** as integral to the LWF/DWS PME system (planning, implementation, monitoring and evaluation). | - LWF/DWS Accountability Guide 2: Participation "How to".<br>- Good Enough Guide, Tool 3 (How to involve people), Tool 4 (How to profile the community and assess needs), and Tool 5 (How to conduct an individual interview). | - LWF/DWS Accountability Checklist<br>- HAP benchmark 3 |
| | **TASK** | **PRACTICAL TOOLS** | **OTHER REFERENCES** |
| 4. | **Maintain a Quality Management System** in the country program, applying the Elements, Dimensions, Levels and Commitments to Accountability as found in the LWF/DWS Accountability Framework. | - HAP Standard:<br>Emergency Check<br> List | - HAP benchmark 1<br>--LWF/DWS Accountability Framework |

| TASK | PRACTICAL TOOLS | OTHER REFERENCES |
|---|---|---|
| 5. Ensure adherence to LWF/DWS internal accountability commitments through policies, guidelines and systems. | -LWF/DWS PME system<br>-LWF/DWS internal control systems<br>-LWF/DWS risk management framework<br>-LWF performance review system | -LWF/DWS Operations Manual<br>-LWF/DWS Accountability Framework<br>-LWF Policies and Guidelines |
| 6. Ensure adherence to LWF/DWS external accountability commitments to national stakeholders and partners, donors, related agencies, governments, and other international partners and humanitarian and development organizations. | -Principles of Partnership | -LWF/DWS Operations Manual<br>-LWF/DWS Accountability Framework |
| 7. Ensure adherence to LWF/DWS adopted accountability commitments. | -Codes of Conduct<br>- Sphere Standards<br>- HAP benchmarks | -LWF/DWS Accountability Framework<br>-ACT policies and guidelines) |
| 8. Put into place an effective human resources system in the country program, promoting accountability. | -LWF/DWS Operations Manual, Section 4:<br>- clear job descriptions, staff induction program, annual performance assessment<br>-effective internal management systems and procedures<br>-capacity-building and career development support to staff<br>- HAP Standard, Tool 20 (Performance Assessment Checklists)<br>- Perpetrators of sexual exploitation, abuse, and corruption prevented from being re-hired or re-deployed. *(to be developed)* | - HAP benchmark 4<br>- LWF/DWS HAP baseline |
| TASK | PRACTICAL TOOLS | OTHER REFERENCES |
| 9. Include Complaints mechanism (and investigation guidelines) as part of induction/orientation process for new staff, along with Codes of Conduct and other components of accountability. | *-Basic core elements/ curriculum for LWF/DWS induction course (to be developed)*<br>-LWF/DWS induction guidelines | - BSO Guidelines<br>-Applying the LWF Code of Conduct |
| 10. Train staff in LWF/DWS Quality Management System, including LWF Code of Conduct, LWF/DWS Accountability Framework, LWF/DWS Complaints Mechanism and Investigation Guidelines, LWF/DWS Open Information and Dissemination Policy. | *Basic curriculum for LWF/DWS advanced training course (to be developed)* | -LWF/DWS Accountability Framework<br>- HAP benchmarks 4 and 5 |
| 11. Organize an accountability workshop for staff, partners and populations to discuss all aspects of accountability (incl. LWF policies, Sphere, HAP, Codes of Conduct, internal control systems, PME). | *Basic curriculum for LWF/DWS accountability workshop (to be developed)* | HAP Haiti deployment |
| 12. Put into place an effective and transparent information system in the country program. | -LWF/DWS Open Information and Dissemination Policy<br>- Information made available to populations includes: organizational background; organizational and staff contact details; accountability framework; project plans; progress reports; selection criteria for operational activities; information on rights; Codes of Conduct<br>-Translation into local languages.<br>-Information dissemination methods including bulletin boards, brochures, websites, information meetings. Decide with communities the best way to share information. | - HAP benchmark 2<br>-LWF/DWS Accountability Checklist<br>-LWF/DWS HAP baseline |
| 13. Actively promote the LWF/DWS Accountability | -LWF/DWS Open Information and Dissemination ¨Policy | - LWF/DWS Accountability Framework |

| | | |
|---|---|---|
| Framework. | | |
| 14. **Organize a facilitated self-assessment** to review all aspects of accountability, to determine gaps and to address those gaps. | -Internal Management Assessment (IMA) -ACT Organizational Capacity Assessment Guide and Tool | HAP Haiti deployment |

| TASK | PRACTICAL TOOLS | OTHER REFERENCES |
|---|---|---|
| 15. **Develop and implement safe and effective sectoral activities (water, sanitation, food security, nutrition, site planning, shelter, fuel collection).** | - Sphere Handbook, Chapters 2 to 5 - ACT Code of Conduct for the Prevention of Sexual Exploitation and Abuse, ANNEX 3 | |
| 16. **Conduct regular field monitoring visits and dialogue with communities and populations.** More resources for field monitoring provided. Staff easily identifiable as belonging to LWF and known to populations. | - LWF/DWS PME System -LWF/DWS Collective Monitoring Report - HAP Standard, Tool 14 (How to involve people throughout the project) | -BSO Guidelines |
| 17. **Establish selection criteria established for partners.** Corruption risks included. | LWF/DWS implementing partner selection criteria | |
| 18. **Develop standard clauses in partner** agreements on accountability commitments, and on their setting up complaints mechanism which meets LWF policy parameters. | LWF/DWS MoU and partnership agreements (*NOTE: standard clauses to be developed*) | -LWF/DWS PME system -LWF/DWS HAP baseline -LWF/DWS Complaint Policy |
| 19. **Provide additional resources for training and staff development on quality and accountability.** | -LWF/DWS annual budget -LWF/DWS staff development plan | LWF/DWS HAP baseline |
| 20. **Coordinate complaints mechanisms (and other accountability activities) in ACT Forums:** e.g., joint training, joint orientation, joint preparation of local complaints mechanism; joint learning. | - ACT Policy on National Forums -ACT Organizational Capacity Assessment Tool, Table 6 | ACT Code of Conduct |
| 21. **Participate in in-country coordination mechanisms, to coordinate SEA and complaints work (with UN, NGOs).** | -Principles of Partnership -HAP Standard, Tool 8 (Community engagement: Stakeholder Analysis) | HAP baseline |
| 22. **Implement a strong security strategy.** Communities and security staff coordinate to improve safety and security related to SEA and other aspects. | -LWF/DWS Security Policy and Guidelines -LWF/DWS Manual on Security | -IASC Gender-based Violence Guidelines -To Complain or Not to Complain |
| 23. **Emphasize continual improvement and learning at country level**, through, *inter alia*, appointment of learning focal points, circulation of good practice examples, feedback of results of monitoring and evaluations to populations. Leading to quality of management strengthened in country programs to ensure fair procedures and effective internal management and supervision. | - LWF/DWS PME System -Good Enough Guide, Tool 11 (How to hold a Lessons Learned Meeting) and HAP Standard, Tool 29 -LWF/DWS Collective Monitoring Report -LWF/DWS audits -LWF/DWS Internal Management Assessment (IMA) | -HAP benchmark 6 - LWF/DWS HAP baseline -ACT Organizational Capacity Assessment Tool, Tables 3 and 4 -UNHCR Inspection Handbook |

| II.    ON ESTABLISHING AND IMPLEMENTING A COMPLAINTS SYSTEM: II.A.  SEQUENCE OF 10 TASKS[1] | | |
|---|---|---|
| **TASK** | **PRACTICAL TOOLS** | **OTHER REFERENCES** |
| 1.  **Ensure management and staff support for a complaints mechanism (CM).** Obtain staff commitment and buy-in.  Define overall purpose and benefits of a CM. | - LWF/DWS Accountability Guide 2: How to set up a complaints and response mechanism. <br> -  Good Enough Guide, Tool 12 (How to set up a complaints mechanism). <br> - Guide to HAP Standard, Tool 27 (Step-by-step guide to setting up a complaints-handling mechanism), Tool 7 (SWOT Analysis) | - LWF/DWS Accountability Framework <br> -    LWF/DWS Complaints Mechanism Policy and Procedure |
| 2.  **Review existing accountability and complaints systems, and adapt as necessary.** | -LWF/DWS Accountability Framework <br> -LWF/DWS Complaints Mechanism Policy and Procedure | WVI    Complaint    and Response Mechanisms |
| 3.  **Define main components of a CM** – what is a complaint, what is relevant and within control of the organization, types of complaints, who will have access to the CM, how the CM will work. Carry out a risk assessment, related to real or potential complaints. | -LWF/DWS Complaints Mechanism Policy and Procedure <br> -LWF/DWS  Accountability Guide 2 <br> -  Good Enough Guide, Tool 12 <br> - Guide to HAP Standard, Tool 27 <br> -LWF/DWS risk assessment framework. | -DRC Complaint Mechanism Handbook |
| 4.  **Sensitize and engage communities through meetings with community leaders, discussions with communities** – what is a complaint, right to complain, right to receive a response, sexual violence as one aspect, and availability of services. Respect local and cultural practices. | -   LWF/DWS Open Information and Dissemination Policy <br> - Good Enough Guide, Tool 4, Tool 19 (Participation Strategy Framework), Tool 18 (Making a consultation meeting effective) <br> -- LWF/DWS Accountability Guide 2: Participation "How to". | - WVI Complaint and Response Mechanisms <br> - HAP benchmark 5 <br> - LWF/DWS HAP baseline <br> -   IASC   Gender-based Violence Guidelines <br> -LWF Accountability Guide 2 |
| **TASK** | **PRACTICAL TOOLS** | **OTHER REFERENCES** |
| 5.  **Find out how a community would like to complain.** One mechanism is an assessment (focus groups, survey, analyze and consolidate data, apply results to development of a CM). | Good Enough Guide, Tool 5, Tool 6 (How to Conduct a Focus Group) and Tool 7 (How to decide whether to do a Survey) | -WVI    Complaint    and Response Mechanisms <br> -LWF Complaints Policy |
| 6.  **Set up a Complaints Mechanism** (see pp. 7-8 for detailed aspects), including the following 7 conditions: <br>   a.   Right to make a complaint <br>   b.   Purpose, parameters and limitations of the mechanism <br>   c.   Procedure for submitting complaints (safe and easy access by users, logical/easily understood procedures) <br>   d.   Steps to process complaints <br>   e.   Confidentiality, transparency, impartiality and non-retaliation policy <br>   f.   Referral mechanisms for investigations and appeals <br>   g.    Right to receive a response | - HAP benchmark 5 <br> - HAP Standard, Tool 26 (Points to remember when implementing a complaints-handling mechanism) <br> - LWF/DWS Complaint Mechanism Policy and Procedure | -DRC Complaint Mechanism Handbook <br> - WVI Complaint and Response Mechanisms <br> -BSO  Guidelines   --HAP Standard |

[1] Appreciation to: World Vision International, 8 Steps to implement Complaint and response mechanisms;  DRC, 11 steps in "Step-by-Step – setting up a complaints mechanism", and HAP, 6 Steps in Tool 27, HAP Standard

| | | | |
|---|---|---|---|
| 7. | **Provide resources for CM to function:** training of staff, partners and communities; materials; expert assistance as required. | - WVI Complaint and Response Mechanisms, Step 6 | --BSO<br>- LWF and ACT Complaints Policy |
| 8. | **Conduct information campaign on CM:** internet, newsletters, posters, pamphlets, meetings, desks, focal points, notice boards, verbal information, meet with community committees. | -DRC Complaint Mechanism Handbook, Step 10 | -LWF Complaints Mechanism Policy and Procedure<br>- HAP baseline |
| 9. | **Implement the Complaints Mechanism:** receive and respond to complaints. | - LWF/DWS Complaint Mechanism Policy and Procedure | WVI Complaint and Response Mechanisms |
| 10. | **Learning:** collate results, draw lessons, identify good practice, incorporate learning into programming and into improving Complaints Mechanisms in future. **Prepare periodic reports** on complaint and investigation outcomes, and make them public, while preserving confidentiality. | -Good Enough Guide, Tool 11 (and HAP Standard, Tool 29) | -WVI Complaint and Response Mechanism<br>- LWF/DWS HAP baseline |

| II.B. | ON SETTING UP A COMPLAINTS MECHANISM | |
|---|---|---|
| **TASK** | **PRACTICAL TOOLS** | **OTHER REFERENCES** |
| 1. **Establish a Complaints Mechanism Policy in the Country Program, to include aspects listed below, based on the LWF/DWS Complaints Policy.** | - LWF/DWS Complaints Mechanism Policy and Procedure<br>- LWF/DWS Accountability Guide 2: How to set up a complaints and response mechanism.<br>- Guide to HAP Standard, Tools 24, 25, and 26<br>-Good Enough Guide, Tool 12 | -LWF/DWS Accountability Guide<br>- HAP benchmark 5 |
| 2. **Develop a country program work plan**, with task, person responsible and timeline, for the development of a Complaints Mechanism. | LWF/DWS Standard Work Plan Format | -HAP baseline |
| 3. **Establish a concrete sequence of actions to receive and handle a complaint, with clear timetable and deadlines for action:**<br>- Receive the complaint<br>- Pass complaint to focal point<br>- Send out acknowledgement letter to complainant<br>- Discuss complaint in Complaints Handling Committee<br>- Have clear system in place for registration and tracking of complaints<br>- Identify and respond to immediate safety risks<br>- Refer complainant for medical or specialized care as applicable<br>- Secure evidence<br>- Decide whether basis to conduct investigation, or close case<br>- Inform the complainant on decision<br>- Proceed with investigation, or refer, as applicable | Flowchart for Complaints Handling – Serious Complaints (Appendix 2 to LWF/DWS Complaints Policy)<br>*(NOTE: requires revision)* | -LWF/DWS Complaints Policy<br>-ACT Complaints Policy<br>- BSO Guidelines<br>- LWF/DWS HAP baseline report |
| 4. **Develop and implement a "complaint box" system, and other entry points** for making complaints: e.g.,<br>- fixed days when office open to receive complaints,<br>- information booths,<br>- information manager,<br>- internet,<br>- posted mail or phone (hotline),<br>- direct access to complainant,<br>- weekly village meetings,<br>- trusted intermediary,<br>- community help desk | DRC Complaints Mechanism Handbook, Step 6 | LWF Complaints Policy |
| **TASK** | **PRACTICAL TOOLS** | **OTHER REFERENCES** |
| 5. **Put into use the established LWF/DWS complaints form.** | LWS/DWS Complaint Form (Appendix 4 to LWF/DWS Complaints Policy | LWF/DWS Complaints Policy |
| 6. **Provide the complainant with a copy of the signed complaint form, and feedback on the complaint.** | SEA Complaint Referral Form (ANNEX 7 to ACT Complaints Policy) | LWF/DWS Accountability Checklist |
| 7. **Provide contact details** for local referral services related to child protection and sexual abuse cases. | To be developed locally *(will DWS also have a roster of experts?)*<br>-Good Enough Guide, Tool 8 (How to assess Child Protection Needs) | BSO Guidelines |
| 8. **Develop a roster of experts** on sexual exploitation and abuse, child protection, investigation, and legal aspects of complaints, to be available when required to assist the country program. Organize training for the experts. | | -ACT Code of Conduct<br>-LWF Complaints Policy |
| 9. **Develop non-retaliation guidelines for staff**, and | *NOTE: Suggest to develop LWF* | --UNHCR retaliation |

| | | |
|---|---|---|
| provide support to staff who encounter protection problems in their work with complaints or investigation. | *non-retaliation Guidelines* | policy<br>-LWF and ACT Complaints Policies |
| 10. **Take steps to ensure confidentiality** in complaints mechanisms. E.g.,<br>- Set up a confidential, protected email system or phone hotline, to preserve confidentiality in communications related to complaints.<br>- Develop and maintain a system to record, keep confidential, and store complaints and investigation documents. | -Guide to HAP Standard, Tool 22 (Tips on file storage and data management).<br>- LWF/DWS Complaints Mechanism Policy and Procedure, Appendix 6.1, Example Oath of Confidentiality | -LWF and ACT Complaints Policies<br>-DRC Complaints Mechanism Handbook<br>-UNHCR Inspection Handbook |
| 11. **Name and train designated focal points** (LWF, partners, and communities) to receive complaints, and agree on their specific roles and responsibilities. Ensure one female and one male Focal Point.<br>12. **Establish a Complaints Handling Committee in the office.**<br>13. **Ensure a clear division of responsibility** established between the complaint focal points, the Complaints Handling Committee, and the Representative, on complaints procedures. | LWF/DWS Complaints Mechanism Policy and Procedure | -BSO Guidelines -ACT Code of Conduct<br>- ACT Complaints Policy |
| 14. **Put in place a credible referral mechanism** for investigations and appeals, if the country program cannot itself carry out investigations. | LWF/DWS Complaints Mechanism Policy and Procedure, Appendix 6, Investigation Guidelines | -ACT Code of Conduct<br>-ACT and LWF Complaints Policies |

## LWF/DWS ACCOUNTABILITY START-UP KIT – REFERENCES

**Policies and Guidelines:**
- LWF/DWS Accountability Framework
- LWF Code of Conduct
- LWF/DWS Complaints Mechanism Policy and Procedure
- LWF/DWS Investigation Guidelines
- LWF/DWS Open Information and Dissemination Policy
- Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief
- Humanitarian Charter and Minimum Standards in Disaster Response (Sphere Standards)
- Principles of Partnership
- ACT Alliance Code of Conduct for the Prevention of Sexual Exploitation and Abuse
- ACT Organizational Capacity Assessment Guide and Tool
- ACT Alliance Complaints Policy and Procedure
- Humanitarian Accountability Partnership (HAP) Standard
- To Complain or Not to Complain: Still the Question (HAP)
- Building Safer Organizations Guidelines, ICVA
- Complaint Mechanism Handbook, Danish Refugee Council
- Good Enough Guide
- Complaint and Response Mechanisms, World Vision International
- UNHCR's Policy on Protection of Individuals against retaliation
- IASC Gender-based Violence Guidelines

**Tools:**
- Applying the LWF Code of Conduct
- LWF/DWS Complaints Mechanism  - Procedure
- LWF/DWS Accountability Checklist (and "How To" accountability guides)
- LWF Nepal Complaints and Response Mechanism
- ELDS Malawi Complaint and feedback Response Mechanism
- LWF Uganda Program Policy on Speak Up (Whistle Blowing)
- ACT OCA Tool
- ACT Alliance Complaints Procedure
- HAP Standard: Emergency Check List

**Reports:**
- LWF/DWS Headquarters Baseline Report of HAP 2007 Standard
- LWF Uganda Baseline Report of HAP 2007 Standard
- Deployment of a Quality and Accountability Support Team, Sphere and HAP, to Haiti (February 2010)