



## DAHW Internal Complaints Management Mechanism

(For complaints about corruption, violation of DAHW Code of conduct, Child protection policy, guidelines or any malicious acts or fraud)

### 1. Purpose and scope:

Since its' inception DAHW is entrusted with funds from individual donors and institutions and has established itself as a reliable and principled organisation among its partners, authorities and donors. However, in common with all organisations, DAHW faces the risk of activities going wrong or of unknowingly harbouring malpractices. We believe that we have the duty to take appropriate measures to identify such situations and attempt to remedy them. On this basis, by establishing an Internal Complaints management system, DAHW commits itself to ensure that any person or institution that raises genuine concerns about malpractice can do so without fear of identity disclosure or reprisals.

This policy is applicable to all staff who works on behalf of DAHW, regardless of location and type of contract. In this context, 'staff' includes employees both in Germany and abroad, representatives of the board, project partners, and consultants executing short-term assignments, trainees and volunteers.

The internal complaints management is not responsible for any complaints about matters concerning German Labor laws and/ or any issues, complaints or disputes concerning the working contract of DAHW in Germany. The German DAHW "Betriebsrat" (works council) is the counterpart for employees in Germany with working contract with DAHW Germany.

### 2. Definition:

'**Malpractice**' for the purposes of this policy is defined as any breach of the codes of conduct and their annexure. Among others it includes: fraud, corruption, sexual misconduct, violence at the work place and in the home environment, criminal offences, breaches of legal obligations (including negligence, breach of administrative law), abuse of power, disregard of health and safety or damage to the environment.

### 3. Ombudsperson:

In order to facilitate anonymous reporting, DAHW has commissioned an external Ombudsperson to receive the first information. The ombudsperson is also assigned a particular email address [ombudsman@dahw.de](mailto:ombudsman@dahw.de) which guarantees anonymity. Once the Ombudsperson reviews the complaint in detail, S/he decides upon sole discretion who / which body will be tasked to work on this report/hint.

For any hint/report received, an electronic file will be opened where any further actions are documented. This electronic file will only be closed when the Supervisory Body has agreed to close the case.

Should any substantial evidence for criminal acts have been presented, Ombudsperson can start a legal pursuit and inform specialized lawyers. In such serious circumstances/cases the board of directors and the supervisory boards must immediately be informed.

For complaints against persons (co-workers) or leading management at least the next in rank or the next higher institution immediately needs to be informed.



In case anonymous information with insufficient information is received, the Ombudsperson should try to gather as much information as possible. If all the efforts fail, S/he may bring it the notice of the Supervisory Board and may close the case in mutual agreement with them.

#### **4. Procedure for raising a concern:**

Any person or institution who has a serious and well-founded concern about any perceived or actual breach of DAHW Policies can raise their complaints. The complaint may be sent via email to [ombudsman@dahw.de](mailto:ombudsman@dahw.de) or per post (*ombudsman, DAHW Deutsche Lepra- und Tuberkulosehilfe e.V. Raiffeisenstrasse 3, 97080 Wuerzburg, Germany*) or via the online complaint form [www.dahw.de/safeguarding](http://www.dahw.de/safeguarding) in English, German, French and Spanish.

Any complaints received via email or post will only be accessed by the Ombudsman. If you want to raise the complaints but want to remain anonymous, please consider the following: as there is no possibility to contact you again for clarifications, as much details as possible should be contained in the initial reporting, to enable a just and fair investigation.

#### **5. Reacting to a breach**

Violations of DAHW's guidelines may have serious implications for DAHW as an organisation as well as for the staff concerned. Any investigation activity will be carried out without regard to a person's relationship with DAHW, their position or length of service.

When the violence/breach is done against an individual, while implicating the staff for breach of the code, DAHW feels responsible to support the person against whom the violence is directed.

- 1) Any breach to the code of conduct will result in disciplinary actions and might lead to immediate dismissal from the organisation and claims for compensatory damages. Should a Project Partner not comply with the DAHW policies DAHW reserves the right to suspend payment of any further instalments and claim money back already placed at the partner's disposal.
- 2) In cases where local law has been breached, DAHW may report infractions to local authorities, and/or take civil legal action against the staff.
- 3) In case of violence and sexual misconduct against an individual, DAHW will help the victim to overcome the trauma of the violence.
- 4) False accusation on any action, purposely made by the person or institution, is seen as a breach to the code of conduct and will be subject to disciplinary action.

#### **6. Disclosure:**

- 1) If the person or institution has any personal interest in the matter they have raised, they must disclose this at the outset.
- 2) When an investigation is launched through the ombudsperson, s/he will also be responsible for reviewing the investigation report.
- 3) Following investigation, appropriate action will be taken- this could involve initiating a disciplinary process, or informing external authorities if a crime has been committed.
- 4) Even if the received information is insufficient to conduct an investigation, the ombudsperson should bring it to the notice of the Supervisory Board and cannot decide upon own discretion to close the case.
- 5) No person who raises genuinely held concerns in good faith using this procedure will be dismissed or subject to any detriment as a result of their action, even if their concerns turn out to be unfounded.



## 7. False Disclosure:

DAHW will treat all disclosures of malpractice seriously, and protect the person/institution that raises concerns in good faith. However, appropriate action will be taken in accordance with disciplinary procedures against person/institution that is found to have made a disclosure that they know to be untrue.

## 8. Amendments

Periodic (every 5 years) review of the DAHW Internal Complaints Management Mechanism is convened by the CEO to proof its relevance (earlier, if deemed necessary). Amendments to the policy must be discussed and approved by DAHW CEO and the official Boards of DAHW.

**Functional Area:** Human Resources and Organizational Development

**Owner:** CEO-DAHAW

**Approved By:** CEO/Board of Directors/Supervisory Board 11/2018

**Date of next Review:** five years from approval date

**Language:** English, German, Spanish, French and Portuguese

**Applicable to:** All staff (Germany and Abroad), Members of the Executive board and Supervisory board, Project partners, Consultants, Trainees and Volunteers

**Related Policies:** DAHW Code of Conduct, DAHW Child Protection Policy, Guidelines for the fight against and prevention of corruption, conflicts of interest, and fraud in the context of the DAHW work; Guideline for Corporate Collaboration; Social Media Guideline; Bye-laws of Internal Procedures for Internal Revision of DAHW; DAHW Project Management Handbook

**Contact:** CEO DAHW