

ANTI-CORRUPTION HELPDESK

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GOOD PRACTICE IN COMMUNITY COMPLAINTS MECHANISMS

QUERY

Can you provide guidance on community complaints mechanisms for humanitarian aid and service delivery programmes (for example, key features, development process and examples of good practice)?

CONTENT

1. Key features of good practice complaints mechanisms
2. Designing and implementing a complaints handling mechanism
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SUMMARY

Complaints mechanisms can increase accountability to aid beneficiaries by providing them with the opportunities to provide feedback on the quality and quantity of the services they receive as well as to complain about potential wrongdoing.

There is no blue-print for setting up a complaints mechanism, as it needs to be adapted to the local context, taking into account issues such as cultural norms and values, level of literacy, phone coverage, and social patterns, among others. To address all of these issues, there is a broad consensus that beneficiaries should be consulted in the design of the complaints mechanism to develop appropriate culturally-sensitive and context-specific responses that identify and address the various barriers to reporting.

Irrespective of the forms, procedures and channels for handling complaints, the mechanism should be transparent, independent, accountable, accessible, safe and easy to use.



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1 KEY FEATURES OF GOOD PRACTICE COMPLAINTS MECHANISMS

There are many expected benefits from setting up effective complaints mechanisms. To ensure that aid reaches its intended beneficiaries and is delivered in an efficient, transparent and accountable manner, there is a growing awareness of the importance of creating a culture of reporting abuse of this flow of funds. More specifically, among others, complaints mechanisms can contribute to (World Vision 2011; 2009):

- Empowering beneficiaries by hearing and responding to their concerns.
- Discouraging corruption, theft and abuse
- Increasing transparency and accountability to beneficiaries.
- Developing better relations with community members based on mutual respect and trust.
- Improving programming, especially with regard to targeting, as inclusion and exclusion errors may be corrected.
- Identifying (early) at field level issues of concern.
- Documenting and providing evidence for more numerous and serious issues.
- Preventing the potential harm that the programme could inadvertently cause by finding out early.
- Impact monitoring and benchmarking key indicators that can be used to measure performance.
- Promoting a culture of learning by analysing reports of complaints and incorporating lessons learnt into programming.

Complaints mechanisms are especially well suited for humanitarian aid, such as food distribution or emergency relief operations, as such programmes provide opportunities for regular contact with the community (for example, through monthly food distribution), with all beneficiaries present at one place and time

Underlying principles

There is a recent but growing body of literature and case studies on complaint mechanisms. In particular, the Humanitarian Accountability Partnership International (HAP International) has documented a number of experiences of complaints mechanisms that have been implemented by various agencies

across the world. While many recommendations have been made within the framework of preventing sexual abuse and exploitation, most of the lessons learnt and recommendations also apply to reporting other forms of abuse and wrongdoings.

There is a broad consensus across agencies on the key features of an effective complaints mechanism. The golden rule is that to be effective, a complaints mechanism should be simple, consistent, accessible, safe and easy to use (World Vision 2011). It typically fulfils three major functions, including: ensuring that an effective service is made available for anyone in the community willing to report wrongdoing, ensuring that an immediate and thorough investigation is undertaken after a complaint is made, and making sure that all possible action is taken to support the victim and seek redress (Save the Children 2008).

In addition, most sources agree on a few guiding principles for effective complaints mechanisms (Save the Children 2008; Oxfam 2004; Building Safer Organisations):

Sanctions and redress

A complaints mechanism is likely to be more effective and trusted by the various stakeholders if it has the power and capacity to investigate, gather evidence, provide some level of redress and/or impose sanctions. A mechanism with only advisory powers may not be able to gain and sustain the confidence and trust of the communities in the complaints process (Oxfam 2004).

Safety

The complaints mechanism should be non-threatening and provide adequate guarantees to allow the safe handling of complaints, recognising the risks associated with reporting allegations of wrongdoings. This can involve ensuring confidentiality, offering physical protection when necessary and addressing possible retaliation risks against victims or witnesses (Building Safer Organisations). Full anonymity should be provided for complainants concerned about their security

Independence

For gaining the trust of all stakeholders, it is also important that the institutional set-up ensures its independence from interested parties and promotes a consistent, impartial and objective approach in all

investigations and decisions. This can involve making sure that all funds are kept independent of the control or influence of any stakeholders. This also involves using transparent selection criteria for the staff of the complaints mechanism, such as the ability to deal thoroughly and fairly with the request, the integrity and independence from the various stakeholders, as well as knowledge and experience of humanitarian assistance operations, among others (Oxfam 2004). Some also recommend that the mechanism be independent from the providing agency

Accessibility

The complaints mechanism should be simple and available at the community level, with clear rules about how to report and to whom. People should know of the procedure and have easy physical access to the complaints mechanism.

This can include providing different channels for complaining (phone, dedicated staff, locked box, among others,). This also includes making all relevant information about the projects and complaints mechanism available in appropriate languages. In selecting the reporting channels, it is important to consider how literate the target population is and how likely it is that they will have access to phone communications (HAP International 2007).

The mechanism should be non-discriminatory, inclusive and accessible to all, including those that are vulnerable, marginalised or outside of the mainstream system (Save the Children 2008). All complaints should be handled, irrespective of whether the perpetrator is a representative of an international organisation or from the local community.

The complaints mechanism should be free of charge for communities of beneficiaries. In some cases, depending on the nature of the complaints, a reasonable level of financial, technical and legal assistance could also be made available to communities to enable them to make their complaints effectively (Oxfam 2004). Where possible, the mechanism should hold its hearings and/or feedback sessions where local community members live and in surroundings that are not intimidating

Accountability and transparency

Building Safer Organisations refers to a mechanism

as transparent when members of affected communities know it exists, have had input into its development, have information on how to access it and contribute to ensure it is adhered to.

In addition, there should be clear rules about transparency and disclosure of all information on complaints and decisions, while making sure that victims, witnesses and complainants' security is not threatened. It is recommended that the personnel, the complainant and the communities be regularly informed on measures taken to prevent wrongdoing.

The complaints mechanism should also periodically report on its activities, performances and cases (World Vision 2011; Oxfam 2004).

Barriers to complaining to take into consideration

General barriers

It is important that the complaints mechanism be set up in a way that identifies and addresses the multiple barriers to reporting within communities. Several reasons are typically invoked for not reporting cases of abuse and wrongdoing as documented for reporting cases of sexual abuse and extortions (Save the children 2008; Inter-Agency Standing Committee Task Force on Preventing SEA 2004), including:

- Fear of losing the social benefits, source of income or of withdrawal of assistance provided by the agency
- Fear of stigmatisation and discrimination of the victim, including based on race, class and ethnicity
- Fear of not being taken seriously
- Fear of reprisal or retaliation from the perpetrator, his community, family or the organisation involved
- Lack of knowledge about the reporting process and lack of access to people with the power, authority and willingness to act
- Isolation, lack of support and feeling of powerlessness to report abuse and wrongdoing
- The lack of effective legal services to promote

accountability and little faith in the police and judicial services to which cases of abuse can be reported

- Lack of faith in the response.

Similarly, it may also be important to identify barriers to report within an organisation and between organisations. In the latter case, an agreed upon protocol between organisations on how they will report allegations to each other might help (Taskforce on Protection from SEA 2008).

Barriers related to the local context and culture

There are also cultural factors that may affect the propensity to report wrongdoing (Save the Children 2011). The form of the local mechanism should fit the local context and be sensitive to cultural norms and values, taking into account the following:

- In some languages, the translation of the word “complaint” or “complaints” may be negatively connoted. The translation may also affect how the complainants will be perceived in the community and the issues it is acceptable to complain about (HAP 2007).
- In some cultures, girls (for example, in Somali) will not complain to males. It may also not be culturally acceptable to complain against other community members or it may not be acceptable to complain against persons of authority.
- There may also be language (or literacy) barriers to reporting, especially in heterogeneous communities that are composed of multiple ethnic groups (Save the Children 2011). The levels of literacy will also determine the most appropriate forms of complaining (for example, whether it is written or oral).

The mechanism should therefore be adapted to the local culture of complaints (Martin 2010; HAP International 2007). This also includes building upon positive local norms, values and structure, as well as on existing community and government structures (Save the Children 2008).

The local context will also determine to a great extent how to advertise the complaint mechanism. For example, where literacy rates are low, information may be better shared by visual posters rather than through leaflets. Similarly, phone coverage will

determine whether to have a “hotline” for complaining (HAP International 2007).

2 DESIGNING AND IMPLEMENTING A COMPLAINTS MECHANISM

Developing a complaints mechanism

Who to involve in the design process

To address all these issues, there is a broad consensus that the beneficiaries should be consulted for designing the complaints mechanism. Their involvement in the design will help develop appropriate culturally-sensitive and context-specific responses that identify and address the various barriers to reporting.

For this reason, HAP International recommends that while the complaints mechanism’s roll-out can be planned at the headquarters, it is crucial that the design and final format takes into account the local context, through an extensive consultation process (HAP International 2007).

Other stakeholders whose operations are likely to be affected by the introduction of the complaints mechanism also need to be involved in the process, including other providing agencies, NGOs, government officials, or host communities. This can be done by establishing an in-country interagency working group composed of members of the international community (both intergovernmental and INGOs), local partners and community representatives to design, pilot and implement the complaints mechanism (Task Force on Protection from SEA 2008).

Planning steps

There are a number of steps involved and decisions to be made when setting up a complaints mechanism. The Danish Refugee Council (DRC) has developed a step-by-step guide that entails a number of tools that can be used to support the decision-making at each step of this process (Danish Refugee Council 2008). Essential steps mainly drawn from the DRC guide are outlined in this section.

Securing the buy-in of management, staff and beneficiary users

The introduction of a complaints mechanism needs to be backed up by adequate resources, high level commitment, staff buy-in and organisational support. This can be achieved through communication and awareness-raising activities centred on the need for and benefits of setting up a complaints mechanism – targeting agency staff, as well as the beneficiary community

Review existing channels for making complaints

To avoid duplication, overlaps and resource wastages, an initial review of existing channels for complaints on various issues (for example, on corruption, fraud and sexual abuse, among others) should be undertaken (World Vision 2009). This also includes considering which other agencies are working in the same area and whether they have their own complaints mechanism in place to coordinate efforts (see below).

Design the Complaints Handling and Appeal Systems

The Complaints Handling System may consist of one or more Complaints Board bodies that decide on the complaint and remedy. The institutional set-up needs to ensure that “complaints are processed by a competent body guided by transparency, confidentiality and impartiality” (Danish Refugee Council 2008).

Consult and engage the community/beneficiaries

The community should be asked how they would like to complain and how they would be most comfortable doing so. This can include some engagement and awareness raising activities.

Design the complaints and response mechanism with detailed procedures

Based on the outcome of the consultation process, decisions need to be made on what constitutes a valid complaint, who will have access to use the complaints mechanism (for example, beneficiaries, potential beneficiaries, host community, agency staff, other NGOs, authorities, agencies and donors, among others), how complaints may be submitted, as well as procedures for investigating complaints.

Developing complaints handling guidelines and policies may be advisable to ensure that stakeholders have a common understanding of the

mechanism (World Vision 2009). Guidelines and procedures should be based on the beneficiaries’ feedback.

Specific procedures may be designed to handle sensitive complaints such as on sexual exploitation and abuse. However, according to the DRC, it is difficult to describe a fixed procedure for dealing with sensitive complaints, and the decision to complain is likely to be about trusting persons more than the system.

Complaints handling should be backed by a solid referral system (Save the Children 2011), as very often, complainants do not differentiate between various organisational or even various agencies’ scope or mandate. One agency may receive complaints about services provided by other agencies. There needs to be a strong referral system in place – both internally and externally.

Ensure adequate capacity to manage the mechanism

This includes ensuring that roles and responsibilities are clear and that sufficient resources are allocated to the complaints mechanism in terms of staff, staff training, community awareness raising, physical space and resources (complaints register, offices, desk, telephone line and suggestion boxes, among others). In particular, for effective management of complaints, it is important to have accountability staff responsible for soliciting and collecting complaints, entering and maintaining the complaints database, and following up on complaints (Save the Children 2011). Regular training and meetings of staff should be organised for sharing experiences and addressing challenges.

Designing a joint complaints mechanism

In some contexts, when several agencies are operating in a given area, it may be advisable to envisage interagency rather than overlapping complaints mechanisms. In particular, this will contribute to avoid compromising investigations due to interagency conflicts (International Council of Voluntary Agencies). Such an approach has been piloted in Haiti in 2010, where World Vision, Save the Children and Lutheran World Federation collaborated to develop a joint complaints mechanism (HAP 2010).

Many steps were taken for setting up the joint

mechanism, including: (1) meeting with agency representatives to secure commitment and jointly develop the mechanism, (2) tool development by each agency to develop the mechanism's procedures, communication tools and relevant forms for staff and beneficiaries, (3) camp committee meetings to introduce the concept, plan implementation and seek input, (4) community meetings for consultation, (5) training of relevant staff and committee members, (6) launch, and (7) one month review to address challenges identified in the first month of operations.

Complaints could be submitted in three ways: through a complaints box, to the camp committee or via the agency staff visiting the camp. Complaints would be collected once a week from the box or committee logbook by representatives of each agency and forwarded to the relevant staff in each agency for processing, with a commitment to provide some level of response within ten days. Some focus group discussions were also planned with the most vulnerable groups.

Implementing the complaints mechanism

Advertising

All stakeholders should be informed of their right to complain, as well as the mechanism through which they can complain. The principle of confidentiality should also be clearly communicated to all parties. Awareness-raising activities as well as relevant information and materials should be available in the appropriate languages.

Receiving complaints

There should be clear parameters in terms of the nature of the complaints that can be received (for example, who can complain and if it must be related to services that the agency provides or broader) (Danish Refugee Council 2008).

Multiple "entry points" for lodging complaints should be provided (Building Safer Organisations). Complaints can usually be made verbally, in writing or by telephone and can typically be submitted through a combination of different channels, depending on the local context. This can include a community helpdesk, a suggestion box, a hotline or simply via agency staff. Trusted members of the community can also be used as focal points for complaining. There should also be the possibility for

one person to complain on behalf of another one or to make anonymous complaints (Building Safer Organisations). Independent translators or interpreters may be needed at this stage of the process.

Staff receiving the complaints should seek to clarify the complaints and need to analyse it to assess whether it is a valid complaints as well as its level of sensitivity. As complainants may not always be in a position to differentiate organisational scope or mandate, there should be a strong referral system in place.

There should be specific guidance and procedures in place for handling sensitive complaints (Danish Refugee Council 2008). In cases where the safety of the complainant may be at risk, immediate steps should be taken to respond (Building Safer Organisations).

Complainants should be given acknowledgment that the complaint has been received, as well as kept informed that action has been (or is being) taken (Danish Refugee Council 2008). This should be done in writing, discretely and clearly, through a formal letter, for example, confirming when the complaint has been received, how it was responded to, next steps, and who is responsible for the complaint (Building Safer Organisations). A time limit for answering the complaint should be provided (Danish Refugee Council 2008).

Recording complaints

Complaints should be recorded in a consistent manner, collecting all necessary information to assess the complaint and investigate; assuring the complainant that the complaint is taken seriously, as well as to collate and analyse complaints received to inform future programming (World Vision 2009). Complaints registration forms can be developed for this purpose.

Information to record typically include the name and contact details (when it is not an anonymous complaint), date, details of complaints, agreed date for response, signature of the complainant, date of resolution, and details of resolution. The complainant should receive a copy of the complaint form. Complaints should be transmitted without changes made to the content (Danish Refugee Council 2008).

Resolving complaints

Some complaints can be immediately resolved with common sense and knowledge of the programme (Oxfam 2007). In this case, the complainant is informed and the complaint can be resolved with immediate action.

In some cases, the complaints may have formal deficiencies, lacking crucial information. Building Safer Organisation's guidelines recommend that allegations should not be rejected because they do not meet the formal requirements. Similarly, verbal and written complaints should receive the same attention.

Some complaints may not be immediately solvable and may require further investigation for resolution (or rejection). In this case, an investigation team may be appointed – with a manager supervising the case and a number of qualified investigators that are given the mandate to investigate on behalf of the organisation. In the case of sexual extortion, Building Safer Organisations recommend that ideally two investigators be appointed, as well as an independent observer. Detailed guidance on how to conduct investigations related to sexual exploitation and abuse should be provided. Interpreters may also be needed when conducting interviews.

In the case of joint complaints mechanisms, the investigation capacity may need to be strengthened, for example, through the development of a pool of trained investigators that can be used to resource smaller agencies or organisations that do not have the resources to conduct investigations (Task Force on protection from SEA 2008).

Timely response should be provided to the complaints to build the community's trust in the mechanisms. The complainant should be informed of the outcome of the investigation and the decision made, with reasons for the decision and who to appeal if they are not satisfied with the complaint's resolution (DRC 2008; Oxfam 2007). If the complaint is not upheld, it is also important that the complainant be notified and has the right to a formal appeal.

Monitoring and learning

The first function of monitoring is to provide information on the relevance and effectiveness of the mechanisms. For example, it may be important to understand the reasons behind low complaints, which can be a sign that beneficiaries do not understand or lack trust in the system.

Beyond monitoring performance, complaints can be instrumental in identifying programme areas that need improvement and information collected through the complaints mechanism should be collated and analysed to incorporate learning into programming (World Vision 2009). The data can be used for adjusting programme activities, improving organisational practices and procedures, and providing early warning on potential programme challenges (World Vision 2011).

3 EXAMPLES AND CASE STUDIES

The examples below illustrate the wide variety of mechanisms and approaches that can be used to empower beneficiaries to complain and provide their feedback on the services provided.

Flooding disaster preparedness in Cambodia

Care International established a complaints mechanism in Cambodia as part of a Disaster preparedness and Mitigation (DPM) project. A complaints mechanism committee was set up to design the mechanism, based on extensive consultation with community and various stakeholders through a series of workshops and presentations. Complaints can be made with the committees for addressing complaints (CAC) that have been established at various levels of the project and can be made through complaints telephone numbers, locked complaints boxes checked by staff on a weekly basis or directly to project staff. To ensure the safety of the complaining process, people can make complaints without stating their name, the keys of the complaints box are kept with the staff (not villagers or community members) and the boxes are put in places far away from authority (Care 2006).

Suggestion boxes for community feedback in Northern Kenya

As part of its drought response project, Tearfund set up Beneficiary Reference Groups (BRG) in Northern Kenya to process and handle community complaints. These groups are composed of individuals who receive verbal complaints. In addition, based on community feedback, locked complaint boxes were set up to allow for more sensitive complaints to be made safely. As the word "complaints" has a negative connotation, these boxes are called "suggestion boxes". To ensure confidentiality and anonymity, only agency staff were able to keep the

key to the suggestion box. Local leaders contributed to select locations and checked out these boxes twice a month. Responses were posted publicly on a community notice board. A monthly average of five complaints a month were made in relation to perceived corruption and nepotism in hiring workers or selecting beneficiaries (Tearfund 2007).

Information centres at food distribution points in Myanmar

Save the Children set up Information Centres at every food distribution point, allowing beneficiaries to ask questions, complain or give feedback about the project. The team running the Information Centres provides information through posters, leaflets and discussions. They are in charge of recording beneficiary feedback and responding immediately to questions that are immediately solvable – taking the remaining feedback to the Area Office to discuss issues with the relevant teams in order to assess how to best answer questions and problems (Save the Children 2009).

Participatory investigations in Senegal on a scholarship programme for refugee students

Refugee students sent a complaint to UNHCR claiming that they had not received their full support and suggesting that OFADEC, the local NGO managing the project, may be responsible. As a response to the students' complaint, a meeting was held with the various stakeholders and the refugee students to discuss the complaint. As some students were not satisfied by the response provided, OFADEC gave them full access to student, financial and banking records. A committee of five students was selected to undertake the review at the OFADEC offices, and after reviewing all the records from 2004 to 2008, concluded that the funds had been spent adequately and trust between the providing NGO and the beneficiaries was reinforced by the process itself, as well as the openness of the process (HAP International 2009).

Accountability system in Somalia using mobile technology

In Somalia, the Danish Refugee Council used mobile phones, internet and online communities (including social media) to collect feedback from communities. The feedback collected is subsequently mapped using the Ushahidi platform. Community members can complain by sending a text message with their

mobile phone. The message is charged at the local rate and does not seem to constitute a barrier to reporting. The text message is received by a dashboard administrator, who after removing any identifying information, posts the message to the map. Platform users can review complaints by location and see additional information, such as the original complaint, its translation and the follow up that was provided (Emergency Capacity Building Project 2013; Danish Refugee Council 2011).

4 RESOURCES

The HAP International page on handling complaints is one of the most comprehensive collection of reports, case studies, policies and resource materials on setting up complaints and feedback mechanisms for humanitarian operations. Most of the resources listed below (and more) are accessible through this website:

<http://www.hapinternational.org/case-studies-and-tools/handling-complaints.aspx>

Guides and resources books for setting up complaints mechanisms

Complaints mechanism handbook

(Danish Refugee Council 2008) This Handbook provides step-by-step guidance to practitioners and managers on how to establish complaints mechanisms in humanitarian projects:

<http://www.drc.dk/relief-work/how-we-work/humanitarian-accountability-framework/complaints-mechanism-handbook/>

Building Safer Organisations guidelines

(BSO-HAP 2008). These guidelines assist trained investigators and managers to implement good investigation practices in the field:

<http://www.hapinternational.org/pool/files/bsoguidelines.pdf>

Complaint and response mechanisms: A resource guide

(World Vision Food Programme Management Group 2009). This guide contains a collection of resources for establishing and implementing a formal complaint and response mechanism, with a focus on community help desks and suggestion boxes, as part of World Vision food distributions in a broad range of contexts:

http://www.wvifood.org/docs/FPMG_CRM_Manual.pdf

Guide to a child friendly complaints system. Lesson learnt from Dadaab refugee camps

(Save the Children 2011). This case study highlights lessons learnt in setting up a child-friendly system in Dadaab Refugee camps in northern Kenya:

<http://www.hapinternational.org/pool/files/guide-to-a-child-friendly-crm-lessons-from-dadaab-kenya-final-draft.pdf>

Policies and procedures for handling complaints

Community complaints & feedback field policy & procedures manual

(World Vision 2011).

This manual has been developed to provide clear and consistent guidelines and procedures for handling complaints in a manner that promotes transparent dialogue, clear communication and encourages community feedback:

<http://www.hapinternational.org/pool/files/world-vision-community-complaints-policy-procedures.doc>

Public complaints policy

(Oxfam GB 2007) and its implementation guidelines. The policy outlines the organisational-wide commitment of the organisation to encourage feedback and complaints from humanitarian beneficiaries. The implementation of this policy is supported by procedures outlined in specific guidelines:

<http://www.hapinternational.org/pool/files/oxfam-gb-complaints-policy-aug-2007.pdf> (above).

<http://www.hapinternational.org/pool/files/oxfam-gb-complaints-policy-implementation-guidelines-oct-2007.pdf>

Complaint mechanism policy

(CARE 2005). This outlines the complaint handling process as well as provides details about the committee composition, who can complain, what complaints can be raised and the eight steps of complaints resolution:

<http://www.hapinternational.org/pool/files/care-cambodia-complaints-mechanism-policy.pdf>

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