

Complaints & Incident Handling Policy

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I. Introduction and Policy Statement

I Have Rights (IHR) is committed to fostering a positive, accessible, and transparent safeguarding culture, where everyone feels empowered and entitled to report concerns and raise issues. The Complaint and Incident Handling Policy of IHR aims to clarify communication channels for individuals—including employees, volunteers, clients, stakeholders, and external parties—to report incidents or complaints related to IHR’s activities. This policy ensures transparency by outlining the contact points, procedures, roles, and responsibilities of team members in handling reported concerns.

This policy should be understood in conjunction with IHR’s Founding Statement, Safeguarding Policy, and Code of Conduct.

II. Scope, Responsibilities and Accountability

Scope

1. This policy applies to employees, volunteers, clients, stakeholders, and any external parties interacting with IHR in any capacity. It is the responsibility of all IHR team members to be concerned about the safety of any individual getting in touch with IHR and therefore report any incident that they have seen or experienced.

Responsibilities

A. The Classification and Safeguarding Committee

The **Steering Committee (SteCo)** of IHR as a whole is ultimately accountable for ensuring that IHR abides in full of its legal and regulatory obligations to ensure a reactive role in identifying and addressing cases where harm has already occurred. The **Classification and Safeguarding Committee (CSC)** of IHR has the primary responsibility over the implementation of this policy.

2. The CSC is mandated to classify and handle concerns. This means that the CSC first of all assesses the nature of the concern brought to its attention and then initiates a set of procedures (see *III. Procedure - Where, how and by whom can a concern be reported?*). The CSC adheres to the principles outlined in IHR's Safeguarding Policy from the very first steps they take. If a performance or conduct-related issue arises with a volunteer, it is referred to the respective coordinator. Similarly, if the issue concerns an employee or freelancer, it is directed to the employment focal point. In cases involving a board member or a volunteer coordinator, the matter is referred to the board. If the concern has been determined as a safeguarding concern by nature, the CSC is responsible and will enact steps to handle the concern. (see *III. Procedure - Where, how and by whom can a concern be reported?*).

If at any point any of the responsible bodies or designated people realise they do not have the mandate to address an issue or concern, they must refer the concern back to the CSC.

No body responsible for handling performance-related issues, misconduct, or safeguarding concerns—including the coordinator, employment focal point, board, or CSC—has the authority to terminate contracts or agreements. This responsibility lies solely with the SteCo. However, the formal decision to terminate a contract rests with the Verein or the AMKE as the official employer, represented by the board.

The Legal and Team Coordinator is responsible for deciding on the exclusion of a client or potential client from IHR's services after consulting with the CSC. If necessary, they may also seek advice from the lawyer and the Board Focal Points on Samos-Related Issues.

Members of the CSC:

The CSC consists of the Legal and Team Coordinator, and the two Focal Points of the Board responsible for Team and Safeguarding, **Mara Kessler** and **Bela Abeln**. The Mental Health Coordinator, is an advisory member of the CSC. They are able to attend meetings of the CSC and have access to documentation but they are not obligated to attend meetings.

If a concern is raised regarding any member of the CSC, the other members have the mandate to meet, discuss, and make a decision without informing or involving the member in question. Minutes are kept confidential and stored separately from the individual about whom the concern was raised. In the event of concerns about any CSC member, a designated deputy will step in.

The designated deputies, in order, are as follows:

1. Lawyer
2. Admin and Finance Coordinator
3. Paulina Böse - Board Member
4. Caroline Mohrs - Board Member
5. Greta Wessing - Board Member
6. Mental Health Coordinator

B. External, Public Bodies and Reporting, Advisory Mechanisms

IHR acknowledges the importance of recognizing the limitations of our internal structures. If any concerns cannot be adequately investigated internally or at any stage during the procedure external support is needed, external public bodies and institutions should be contacted. IHR always maintains the financial capacity to support such actions within reasonable expenses.

Contact details:

- To reach external coaches or mediators, their contact information can be found in the **3_Team Supervision** folder at *team@ihaverights.eu*.
- Consultancy and further information for whistle-blowers in Germany are available here: <https://whistleblower-net.de/en/consultancy/consulting-for-whistleblowers/>
- Additional resources which need further research
 - <https://www.beckyross.co.uk/>
 - <https://tripodtraining.org/>

- <https://comhlamh.org/about-comhlamh/>

Accountability

The **implementation of this policy is the responsibility of the CSC**. The members to hold each other responsible must communicate at least once every 3 months.

The **SteCo holds the employment focal points, coordinators, members of the CSC, and designated deputies accountable** for their performance in their respective roles.

To manifest this accountability, the CSC prepares an [overview](#) including: the frequency of direct approaches and, instances where fact-finding was initiated without a direct approach, the number of cases categorised as work performance issues, conduct-related concerns, or safeguarding concerns, outcomes of fact-finding, sanctions imposed, instances of misconduct or safeguarding violations, the number of open and resolved cases, and possibly the average duration taken to resolve matters.

In case of a Safeguarding classification the CSC must manifest this accountability by also preparing an overview about the whole procedure upon conclusion.

In the overviews the CSC should aim for anonymity.

II. Differentiation of concerns

As outlined in IHR's Safeguarding Policy, IHR defines safeguarding as the measures taken to ensure that no individual interacting with the organization experiences harm. A **safeguarding concern** refers to **any situation when the "do no harm"** principle could have potentially been violated. Harm is understood as any form of physical or psychological mistreatment, including abuse, neglect, negligent treatment, and exploitation, as detailed in the Safeguarding policy. IHR acknowledges that determining what constitutes 'harm' and, therefore, a safeguarding concern is not always straightforward, as it depends on the context and the subjective element and experience of the affected individual(s). For this reason, IHR encourages everyone **to report** potential safeguarding concerns to the responsible bodies,

even if they are unsure whether an incident qualifies as a safeguarding issue, a violation of IHR's principles, or neither. IHR follows the '*If you see something, say something*' mentality.

When receiving reports, IHR distinguishes between situations where the "do no harm" principle might have been violated (*safeguarding concerns*) and other types of violations that do not meet this threshold. These may include **conduct-related issues**, which involve breaches of IHR's Code of Conduct, or **work-performance issues**, which arise when a volunteer or work agreement is violated. When a report is received, the CSC will determine whether the concern falls under one or more of the above mentioned categories (see *III. Procedure - Where, how and by whom can a concern be reported?* for further details on the classification process). This classification will guide the subsequent steps in the procedure, identify the responsible body, and outline potential consequences.

III. Procedure - Where, how, and by whom can a concern be reported?

Who can report a concern?

IHR strives to foster a positive and proactive safeguarding culture within the organisation, viewing it as the shared responsibility of everyone involved. As such, anyone **affected by, involved in, or witnessing** a safeguarding concern is encouraged to report it. All members of the organisation should feel responsible for reporting any potential violation of safeguarding principles. However, failure to report a concern will not automatically result in sanctions. That said, not reporting can contribute to harm—especially if the affected person is unable to speak out, and someone who witnesses the situation chooses not to act, despite being in a position to do so. As a result, in some cases failure to report a concern can result in sanction.

1.

It is important to report concerns. At the same time, we recognize that a person who witnesses something may feel intimidated or at risk when considering whether to report. These situations should be handled with sensitivity and support.

Anyone **experiencing, witnessing, learning of, or perpetrating** an incident can and is encouraged to report it. External individuals are also encouraged to report.

Where to Report a Concern – Reporting Channels

The **CSC is responsible for communicating** these channels transparently.

Concerns can be brought to the the CSC attention via:

- E-mail to concerns@ihaverights.eu

Anyone can send an email to concerns@ihaverights.eu. This email is only read by the two Team and Safeguarding focal points of the Board. No one else, including the Coordinators, have access to this email address. You can report the concern directly in the body of the email or use the template prepared for Raising Concerns and attach it as an annex (see in *IV. Additional documents*). While filling out the template will help the CSC respond quickly and effectively, it is not mandatory to complete it.

- [Online Form for Concerns](#)

2. Concerns can be brought to the CSC 's attention via filling this [form](#).

- In person

Any concern can be raised in person to the Legal and Team Coordinator on Samos. Any SteCo member can also be approached with a concern in person. However, Board members and employees hold a higher level of responsibility in these matters. Once a concern is communicated, the person receiving it should forward it to the CSC.

- For IHR team members only: Via Signal

- Indirect approach

Members of the **CSC can independently initiate procedures** and maintain the anonymity of a source for as long as legally permitted. **Anonymous complaints will always be accepted** if the reporting person wishes to remain anonymous. However, in such cases, the CSC's ability to conduct fact-finding may be limited.

What can be reported?

3. IHR is committed to fostering a **positive safeguarding culture** where everyone feels empowered to report concerns. We do not expect anybody to categorize incidents themselves but instead strive to create an environment where everyone—**especially those who have been harmed or potentially harmed** within IHR's working environment—feels safe to speak up.

We follow the "*If you see something, say something*" approach, with an emphasis on reporting **disrespectful, harmful, or dangerous behavior**. Harm can result from any form of **physical or psychological ill-treatment**, including but not limited to:

- **Abuse** (physical, sexual, emotional/psychological) – e.g., use of force causing pain or injury, threats, deprivation of contact, shouting, ignoring, bullying, etc.
- **Neglect** – e.g., denying someone services, care, or emotional support.
- **Discrimination** – based on race, gender, sexuality, disability, religion, class, culture, language, ethnic origin, etc.
- **Exploitation** – any form of abuse of power or control for personal gain.
- For further details please **see the Safeguarding Policy, Code of Conduct and the Founding Statement of IHR.**

How will the report be handled?

4.

During the whole procedure detailed minutes are being taken. (Find the template in *IV. Additional documents*)

I. Classification

After receiving a report, the CSC will **assess and classify** it as either a **safeguarding concern**, a **conduct-related issue**, or a **work-performance-related** matter. During this assessment, a preliminary risk evaluation will be conducted to determine if anyone is at risk. During this assessment, the CSC will consider physical, psychological, economic, and other potential risks. If risks are identified, the CSC ranks them by person, type of risk, and likelihood of occurrence. The CSC determines whose needs are most urgent. In general, the person making the complaint is often vulnerable and may be at higher risk.

If a person is found to be at risk, the CSC is responsible for **taking measures to minimize those risks**. In such cases, the responsible body must take immediate and effective measures to prevent harm and protect the person at risk. These measures include, but are not limited to, the suspension of IHR activities and exclusion from IHR services, including housing. Individuals at risk may also be referred to specialists, such as psychologists or doctors.

When the CSC needs to classify the concern, they may conduct fact-finding in a similar manner to the process used for handling the concern (*for details, II. Handling the concern*). If

the concern has been determined as a **safeguarding concern by nature**, the **CSC is responsible** and will enact steps to handle the concern. This includes fact finding and deciding on possible sanctions except exclusion. These steps are laid down in this policy below.

If an issue is determined to be **conduct-related** or a **performance-related concern**, it will be referred to the appropriate party for further action. This includes fact-finding, assessing whether misconduct or work performance issues have arisen, and determining potential sanctions.

- **For a volunteer’s performance or conduct-related issue** → referred to the **respective coordinator**.
- **For an employee’s or freelancer’s performance or conduct-related issue** → referred to the **employment focal point**.
- **For a board member’s or volunteer coordinator’s performance or conduct-related issue** → referred to the **board**.

The other bodies responsible for handling potential performance-related or conduct related issues, alongside the CSC, are available for advice, questions, or support.

From here on the procedure is the same regardless of which body is responsible.

II. Handling the Concern

A. Fact finding

Handling concerns and escalating any incidents or conflicts is a high priority for everyone involved. Therefore, the responsible body will initiate and proceed with the fact-finding process as soon as possible, within a reasonable timeframe ideally within two weeks. During the fact-finding process, communication between the person submitting the report and the responsible body is maintained when possible.

Fact-finding is the process of gathering, verifying, and analyzing information to establish the truth about a particular issue, event, or situation. This may involve contacting the survivor of the incident, the alleged wrongdoer, witnesses, and other relevant team members. Interview witnesses should be contacted as soon as possible. It may be necessary to instruct the alleged wrongdoer not to contact the witnesses and to advise witnesses to inform the CSC if any contact occurs. Physical evidence should be photographed, photocopied, and/or

described in detail. Evidence may also be gathered by other ways e.g analyzing online activity on the IHR Google Drive.

During this process, the responsible body must assess whether anyone is at risk. If a potential risk is identified, a risk assessment should be conducted to determine if immediate action is required. During this assessment, the CSC will consider physical, psychological, economic, and other potential risks. If risks are identified, rank them by person, type of risk, and likelihood of occurrence. Determine whose needs are most urgent. In general, the person making the complaint is often vulnerable and may be at higher risk.

Additionally, all notes and findings gathered during the fact-finding process must be securely stored and kept confidential to protect the privacy of those involved.

B. Decision and possible sanctions taken by responsible body

The responsible body or person is in charge of determining appropriate measures in response to the reported incident when it is appropriate. These measures may include support for the survivor and actions affecting the wrongdoer. The primary goal is to de-escalate the incident, prevent harm, and ensure that all individuals within the organization, as well as those in contact with IHR, are protected from further potential harm.

The responsible body is mandated to impose sanctions based on the severity of the incident. These measures may include **oral warnings, written warnings, exclusion of IHR services, suspension, termination of agreement or contract** and **reparations** (e.g., apologies to the affected person, mediation).

If appropriate, the team member may be excluded from IHR services, including housing. A team member may be suspended from IHR activities in cases of a severe breach of the Code of Conduct or IHR principles, particularly if harm has been caused or if the confidentiality agreement or a confidentiality clause in their work contract has been violated. In cases of severe harm or after three written warnings have been disregarded, the responsible body will recommend to the SteCo that the individual be excluded from the organisation and their work contract or volunteer agreement to be terminated. In cases where exclusion is a possibility, a full background overview—including previous reports, incidents, procedures, and possible sanctions—must be presented to the SteCo before it is discussed. If the responsible body decides on sanctions, they must be appropriate to immediately and effectively protect the survivors from the wrongdoer.

In cases of a severe breach of the Code of Conduct or IHR principles, particularly if harm has been caused, the suspension of IHR's services to a client or potential client may be implemented. Additionally, in cases of severe harm or if three written warnings have been disregarded, exclusion from IHR services may be applicable to the client or potential client.

The CSC can implement further measures to support the affected individual, such as providing a budget for psychological assistance, providing external mediation etc.

The terms, including duration, conditions, and details of the suspension or exclusion from IHR's services or the termination of the work contract or volunteer agreement, must always be communicated in writing. In the event that a client or potential client is excluded from IHR's services, the reasoning for the exclusion must be communicated to the client in writing when it is possible.

III. Appeal

The person who raised the concern, the survivor, and the wrongdoer can appeal the decision within two weeks of being notified. In the appeal, they may also challenge the classification of the incident. The Appeal Committee consists of the SteCo, excluding the members who made the initial decision.

The termination of a work contract or volunteer agreement can also be appealed. In such cases, the first two designated deputies of the SteCo members will conduct a new fact-finding procedure (*as detailed above*) and present their findings to the SteCo. Based on these findings, the SteCo may amend their decision.

Appeals may be submitted either via the [online form](#) or by email to concerns@ihaverights.eu, using the template (see *IV. Additional documents*). Using the online form or the template is not an obligation but would help to be more effective.

IV. Additional documents

1. Template for Raising Concerns - Optional to use

Template for Raising Concerns (Optional to use)

Via email to concerns@ihaverights.eu

This template is designed to support the Classification and Safeguarding Committee in addressing concerns as promptly and efficiently as possible.

Have you seen or experienced **disrespectful, harmful** or **dangerous** behaviour within I Have Rights?

Harm can be caused by any kind of physical or psychological ill-treatment, for example (find further explanations in our Safeguarding Policy):

- Abuse (physical, sexual or emotional/psychological) – e.g. use of force resulting in pain or injuries, threats, deprivation of contact, shouting, ignoring, bullying, etc.
- Neglect – e.g. denying someone a service, care or emotional support
- Discrimination on basis of gender, sexuality, disability, religion, class, culture, language, and race or ethnic origin etc
- Exploitation – being groomed, forced or coerced into doing something that you don't want to do for someone else's gain.

You can fill out this template and contact the Classification and Safeguarding Committee (CSC) of I Have Rights and tell us about your experience. The Committee consists of Réka (Legal and Team Coordinator), Mara (Board Member) and Bela (Board Member). The CSC is independent from other parts of the organisation and works confidential. This means that your information will not be shared with other parts of the organisation. Your report will be used to identify if there is a need for an investigation and action.

This template is meant for situations where a person's well-being and/or safety is at risk. **We encourage you to also reach out if you are unsure** if an incident is serious enough.

- 1. Please leave your email address and/or your phone number so we can contact you.**
- 2. Are you informing us about your concern as the person affected or as somebody else speaking for the affected person?**

- Yes I am the affected person
 I am not the affected person but I saw concerning behaviour

- 3. Please describe the concern you wish to share.**

What did you experience within I Have Rights?

Are you reporting about someone else's experience?

Do you want to report the behaviour of a specific person?

Do you know who this person is?

Is there something else we need to know?

2. Template for Appeals - Optional to use

Template for Appeals (Optional to use)

Via email to concerns@ihaverights.eu

This template is designed to appeal a decision made by the responsible body following a safeguarding, misconduct or performance-related concern.

- Name of the person raising the concern
- Contact details (Phone, mail address)
- Date on which you were informed of the decision being appealed (Please note: *An appeal can be submitted within two weeks from the date you were informed of the decision.*)

- Clearly identify the aspect of the decision or procedure you are appealing
- Reason for appeal: Please provide a detailed explanation of the reasons for your appeal. Be as specific as possible and list all relevant points or concerns.
- If you have any documents that support your appeal, please attach them to your email

3. Meeting Minutes Template for Addressing Concerns

CONCERN

DOCUMENTED BY:

TITLE / ROLE:

DATE:

PHASE #1: NOTIFICATION OF CONCERN

NOTIFICATION BY:

NOTIFICATION VIA:

DATE OF NOTIFICATION:

DESCRIPTION OF CONCERN:

THE CONCERN IS REGARDING: IN THEIR ROLE AS **VOLUNTEER** ▾

A PRELIMINARY RISK-ASSESSMENT HAS BEEN MADE: **YES** ▾

IT HAS BEEN FOUND THAT **WE CAN NOT FORESEE ANYBODY BEING AT RISK.** ▾

IF PERSONS MIGHT BE AT RISK:

THE FOLLOWING MEASURES HAVE BEEN TAKEN TO MINIMISE THE RISKS:

THE PERSON CONCERNED IS TEMPORARILY SUSPENDED FROM WORKING WITH IHR: **YES** ▾

IF YES: THE SUSPENSIONS HAS BEEN COMMUNICATED ON DATE:

PHASE #2: CLASSIFICATION OF CONCERN

FACT-FINDING HAS BEEN CONDUCTED: **YES** ▾

IF YES:

INVOLVED PERSONS:

- | | |
|------------------|-------|
| 1. NAME: | ROLE: |
| CONTACT DETAILS: | |
| 2. NAME: | ROLE: |
| CONTACT DETAILS: | |
| 3. NAME: | ROLE: |
| CONTACT DETAILS: | |
| 4. NAME: | ROLE: |
| CONTACT DETAILS: | |

DESCRIPTION OF FACT-FINDING:

CONCERN HAS BEEN CLASSIFIED AS: PERFORMANCE OR CONDUCT RELATED ▾

PHASE #3: DETERMINATION OF FURTHER RESPONSIBILITY

IF WORK PERFORMANCE OR CONDUCT RELATED:

THE RESPONSIBLE PERSONS ARE:

FOR A VOLUNTEER -> THE RESPECTIVE COORDINATOR

FOR AN EMPLOYEE OR FREELANCER -> THE EMPLOYMENT FOCAL POINT

FOR A BOARD MEMBER OR VOLUNTEER COORDINATOR -> THE BOARD

THE CONCERN HAS BEEN REFERRED TO THE RESPECTIVE COORDINATOR ▾ ON DATE:

IF SAFEGUARDING RELATED:

THE RESPONSIBILITY STAYS WITH THE CSC.

PHASE #4: DECISION ON POSSIBLE SANCTION

FURTHER FACT-FINDING HAS BEEN CONDUCTED: YES ▾

IF YES:

INVOLVED PERSONS:

5. NAME:

ROLE:

CONTACT DETAILS:

6. NAME: ROLE:

CONTACT DETAILS:

7. NAME: ROLE:

CONTACT DETAILS:

8. NAME: ROLE:

CONTACT DETAILS:

DESCRIPTION OF FACT-FINDING:

DESCRIPTION OF SANCTION/DECISION:

THE SANCTION INCLUDES A TERMINATION OF WORKING OR VOLUNTEER CONTRACT: YES ▾

THE SANCTION WILL BE IMPOSED FROM DATE:

THE SANCTION HAS BEEN NOTIFIED ON DATE: BY:

PHASE #5: APPEAL AGAINST SANCTION

THE PERSON WHO RAISED THE CONCERN AND THE SANCTIONED PERSON CAN APPEAL WITHIN 2 WEEKS AFTER THE NOTIFYING OF THE SANCTION.

THE APPEAL COMMITTEE CONSISTS OF THE STEERING COMMITTEE WITHOUT THE PERSONS WHO MADE THE FIRST INSTANCE DECISION. THE FOLLOWING PERSONS ARE PART OF THE APPEAL COMMITTEE:

THE APPEAL COMMITTEE HAS DECIDED TO MAINTAIN THE SANCTION AS DECIDED. ▾

IF DIFFERENT SANCTION:

DESCRIPTION OF SANCTION/DECISION:

THE SANCTION INCLUDES A TERMINATION OF WORKING OR VOLUNTEER CONTRACT: YES ▾

THE SANCTION WILL BE IMPOSED FROM DATE:

THE SANCTION HAS BEEN NOTIFIED ON DATE: BY:

Feedback

Have you got feedback, comments, or criticism regarding this document?

Let us know at team@ihaverights.eu.

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<https://ihaverights.eu/>