

# Complaints procedure

## 1. Preface

Wilde Ganzen Foundation (further: Wilde Ganzen) aims to be a transparent and learning organisation, and a reliable partner for its supporters, for Private Development Initiatives as well as for Local Project Partners overseas. This includes a thorough handling of complaints. Therefore, Wilde Ganzen applies the following complaints procedure.

The basic principle is that the person or organisation dissatisfied with Wilde Ganzen first discusses the issue with their contact at Wilde Ganzen and that an attempt is made, possibly with the help of the department manager, in mutual consultation to come to a solution. If this fails, a formal complaint can be made by means of a written complaint, which is handled by (or on behalf of) the director. If the complainant disagrees with the director's decision on the complaint, the complainant may appeal to the independent complaints committee of Wilde Ganzen Foundation. In case the dissatisfaction relates to the director himself, a written complaint addressed to him, will be dealt with by the supervisory board of Wilde Ganzen.

This complaints procedure does not affect the fact that the complainant may at any time take the complaint to the Dutch courts.

## 2. Definitions

- a. A **complaint** is any written expression of displeasure or dissatisfaction against Wilde Ganzen, filed by a complainant who feels that Wilde Ganzen has harmed his or her interests.
- b. A **complainant** can be any person or organization, or their legal representatives, as well as anybody making use of the services or products of Wilde Ganzen, who puts forward a complaint<sup>1</sup>.

## 3. Filing a complaint

1. In case of dissatisfaction, the complainant first turns to his contact at Wilde Ganzen to try to reach a solution.
2. The complainant is given the opportunity to discuss his dissatisfaction with the contact person. The manager of the department concerned may be involved in this consultation, if this facilitates in finding a solution.
3. If the complainant is not satisfied with the outcome of the consultation, he may file a formal complaint by means of a letter of complaint. Wilde Ganzen will inform the complainant of that possibility.
4. A complaint must be made within two months of the event or the decision to which the complaint relates, submitted in writing by sending it to the postal address and/or general email address of Wilde Ganzen to the attention of the director.

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<sup>1</sup> For the sake of readability, the complainant is further referred to here only in the male form.

5. A written complaint shall include at least the name and contact details of the complainant, the date on which the complaint is filed and a description of the event or decision against which it is directed.

#### **4. Handling of a written complaint**

1. The director will ensure the handling of the complaint, unless the situation arises as referred to under 4.6.
2. The director may empower an employee to handle the written complaint on his/her behalf.
3. The director - or the mandated employee - shall assess the complaint on all merits, speaks to all parties involved, including the complainant, and makes a decision.
4. Settlement of the written complaint is made within six weeks of receipt. In cases where this is not possible, the complainant will be timely informed about the new decision period.
5. The decision on the complaint is substantiated, and communicated in writing to the complainant.
6. Notwithstanding the foregoing, a complaint that exclusively or mainly concerns a conduct of the director, shall be dealt with by the supervisory board of Wilde Ganzen. The supervisory board investigates the complaint, hears any parties involved, including the complainant and the director, and makes a decision which is communicated in writing to the complainant.

#### **5. Appeal to the independent complaints committee**

1. Complainants who disagree with the decision on their complaint by the director or the supervisory board, may appeal against it to the complaints committee of Wilde Ganzen.
2. The complaints committee is an independent committee and has three members. The chairman of the complaints committee is a lawyer. At least one of the members is an expert in the field of development cooperation, and at least one of the members has knowledge of Wilde Ganzen's organisation and working methods. Rules on, among other things, the tasks, composition, appointment and work of the complaints committee are laid down in the complaints committee Regulations.

#### **6. Filing an appeal**

1. Appeals to the complaints committee must be made within four weeks of the date of the decision against which the appeal is directed, by means of a written document - the notice of appeal - which must in any case contain:
  - a. the name and contact details of the complainant,
  - b. a clear description of the complaint,
  - c. a copy of the decision against which the appeal is directed,
  - d. relevant data and documents relating to the complaint,
  - e. the grounds of the appeal.

2. The notice of appeal with attachments should be sent to the postal and/or general email address of the complaints committee's secretariat to the attention of the executive assistant.

## **7. Consideration of the appeal**

1. The chairman of the complaints committee will decide, after receiving the appeal and the file, whether the appeal will be considered.
2. If the appeal is considered, the complaints committee will ask the director (or in the case referred to under 4.6: the supervisory board) to respond to the appeal in writing. This response should include Wilde Ganzen's position on the complaint and what steps have been taken to reach a solution together with the complainant. The complainant shall receive a copy of Wilde Ganzen's response.
3. The complaints committee decides whether a hearing will be held. A hearing may be dispensed if the complaints committee is of the opinion that a decision can be made based on the written documents, and the parties agree to this.
4. The hearing will be scheduled by the secretariat of the complaints committee. The complainant and the director (or in the case referred to under 4.6: the supervisory board) will receive a written invitation. During this hearing, the complaints committee will hear parties in the presence of each other about the submitted appeal. A report will be made of what was discussed at the hearing.
5. Parties may bring witnesses or experts to the hearing. The names and capacities of these persons must be submitted to the complaints committee no later than two weeks before the hearing. The secretariat of the complaints committee will notify the other party accordingly.
6. The complainant is free to be assisted by a (lawyer's) representative during the hearing. The costs of any (legal) assistance of the complainant are at the expense of the complainant.

## **8. The verdict of the complaints committee**

1. The complaints committee assesses the complaint independently and issues a ruling in which it gives a reasoned opinion on the merits of the appeal. The decision counts as a weighty opinion for the parties.
2. The complaints committee cannot impose a sanction, nor will it make a ruling on whether Wilde Ganzen is liable for any damages suffered by the complainant.
3. The complaints committee makes its verdict no later than six weeks after receiving the appeal. If settlement of the appeal is not possible within six weeks, the parties will be timely informed about the new decision period.
4. The secretariat of the complaints committee will send a copy of the verdict to the director (or in the case referred to under 4.6: the supervisory board).

## **9. The final decision**

1. After receiving the verdict of the complaints committee, the director (or in the case referred to under 4.6: the supervisory board) will take a final decision on how the verdict will be followed up. In doing so, the decision of the complaints committee can only be deviated from to the detriment of the complainant, with reasons being given.
2. The director will announce, in writing, the verdict of the complaints committee and the final decision of Wilde Ganzen within two weeks after receiving the final verdict to the complainant.

## 10. Registration of complaints

1. The secretariat of the complaints committee takes care of the registration of all complaints submitted. In principle, this registration includes all complaints as defined in article 2 sub a, therefore not only complaints as referred to in article 3 sub 4.
2. The register of complaints shall include at least the following data:
  - a. of each complaint:
    - o the date on which the complaint was received
    - o the name and contact details of the complainant
    - o a brief description of the complaint
    - o the name of the staff member/department manager involved
    - o the name of the person handling the complaint
    - o the manner in which the complaint was handled
    - o the date on which the complaint was handled
  - b. additionally in case of a complaint:
    - o the date on which the complaint was filed
    - o a short description of the complaint
    - o the person handling the complaint (director or supervisory board)
    - o the manner in which the complaint was handled
    - o the date and content of the decision taken
  - c. additionally in case of an appeal to the complaints committee:
    - o the date on which the notice of appeal was received
    - o the manner in which the appeal was handled
    - o the date and content of the decision of the complaints committee
    - o the date and content of the final decision
  - d. in respect of all complaints:
    - o any learning points and/or (policy) adjustments made
3. These records will be kept for five years.

## 11. Accountability

1. The handling of complaints takes place under the ultimate responsibility of the director.
2. The method of handling is included as a process description in Wilde Ganzen's quality manual.
3. The director is accountable to the supervisory board for the policy conducted in the handling of complaints in general and, when warranted, also on individual issues. For this purpose, the director shall each year send the supervisory board a summary of the number of complaints received also indicating the nature of those complaints. It also is reported whether, on the basis of the complaints, adjustments in the organisation or procedures have taken place.

## 12. Conclusion

The complaints procedure is determined by Wilde Ganzen and may be amended or replaced by a new regulation, having heard the complaints committee. This complaints procedure will come into force on 1 September 2022.