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Community Accountability Reporting Mechanisms (CARMs)

Overview

Commitment to Accountability

Mercy Corps is committed to preventing all forms of exploitation and abuse. We will create accessible and effective reporting mechanisms so that our beneficiaries and the communities in which we work are able to report disturbing situations or behaviors related to our staff, partners or programs, as well as any unlawful situations and behaviors.

Community Accountability Reporting Mechanisms are an essential part of Mercy Corps' commitment to excellence and integrity.

Purpose

This guide outlines Mercy Corps' responsibilities regarding implementing safe, confidential, transparent and accessible reporting mechanisms.

Effective reporting mechanisms are important because they empower individuals to report concerns and to feel confident that their complaint will be reviewed and addressed.

Every team member in Mercy Corps is required to ensure that all community members and/or beneficiaries have access to mechanisms that enable them to report a complaint* and/or concern about Mercy Corps' programs, team members and/or partners.

What are examples of complaints and what happens once a complaint is received?

The types of complaints covered by these guidelines include team member misconduct, instances of sexual exploitation and abuse as well as program implementation concerns.

Once a complaint is received, it will be evaluated in keeping with the guidelines of Mercy Corps' Protection from Exploitation and Abuse (PSEA) & Child Safeguarding policies and practices, Code of Conduct, and Program Management standards. Resolution will depend largely upon the circumstances of the complaint. Additional information about the resolution process is included within this guide.

Who is responsible for reporting mechanisms?

In-country leadership is primarily responsible to design, implement and monitor reporting mechanisms. *Focal Points* play a key role in the design and use of the CARMs (see page 2 for more information on Focal Points). *Team members* and *beneficiaries* contribute by monitoring the usefulness of the CARMs and by seeking regular feedback from community members.

CARMs should be designed and implemented in every operating area of our country programs. When new areas of operation are introduced, additional CARMs should be designed and rolled out.

All team members share an obligation to prevent and respond to complaints. It is the responsibility of every country team to ensure reporting mechanisms are in place and accessible to community members and beneficiaries. These guidelines outline how to design and implement them.

*a complete list of definitions, including complaint, is available on page 10 of this guide

CARMs ENABLE US TO—

- Increase our accountability
- Empower beneficiaries
- Improve program impact and quality
- Capture important information
- Detect early warning signs

- Build stronger relationships with the communities in which we work
- Provide vulnerable people with a venue for anonymous feedback
- Discourage corruption, theft and abuse

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Step 1—Prepare and Plan

A ll Mercy Corps team members share an obligation to respond to situations of program concern, potential Code of Conduct violations and instances of exploitation and abuse.

While the team members involved in designing the CARMs will vary by location, it is important that the CARMs are embraced and supported by all levels of management. While management bears the responsibility for the CARMs, all team members should contribute by participating in monitoring the effectiveness of the reporting mechanisms and seeking feedback from communities and beneficiaries.

When creating or putting your CARMs into place, we recommend you review this guide and use it to create a work plan, including deliverable dates. This will help you keep on track throughout the process. To get you started, here are four things you should do first:

1. Identify where CARMs are needed or do not yet exist —every office and/or program implementation site must develop and maintain a CARM.
2. Identify and appoint Focal Points—all offices or implementation locations should have at least two. For more on Focal Points please see below.
3. There are likely reporting mechanisms in place for program quality assurance. These should be reviewed and the CARMs should be incorporated into their design. Step 2 describes how to involve the community in the design.
4. Identify and document in-country medical and psychological resources to expedite your actions in response to an actual complaint.

Focal Points

A Focal Point is an individual inside Mercy Corps who has been designated and trained to receive reports and complaints from community beneficiaries, team members and peer and partner agencies. It is the Focal Points' responsibility to ensure that the appropriate and necessary actions are taken once a complaint has been received. They should be identified and engaged at the beginning of the planning process as they will play a key role in the design, implementation, maintenance and day-to-day functioning of the CARMs.

Choosing Focal Points

Focal Points should be national team members. They should have a strong understanding of the local culture, speak the local language and be familiar with Mercy Corps' Code of Conduct as well as our behavioral expectations of our team members and our program management standards. They should be approachable, professional and be able to exercise complete discretion in the handling of both sensitive and confidential information.

Focal Points should have completed the Code of Conduct eLearning course and be knowledgeable with regard to Mercy Corps' Program Management standards. They should have an expressed interest in protection and prevention, and should feel comfortable working closely with in-country leadership. They should be able to respond to complaints immediately and will be responsible for ensuring complaints and concerns are submitted to headquarters. Information on submitting to headquarters can be found on page five.

It is important to have both male and female Focal Points.

"Staff are obligated to create and maintain an environment that prevents sexual exploitation and sexual abuse. Managers at all levels have a particular responsibility to support and develop systems that maintain this environment."
- UN Secretariat, "Secretary General's Bulletin on Special Measures for Protection from Sexual Abuse and Exploitation"

Step 1 Action Items:

☐ Create your work plan

☐ Identify and appoint your focal points

☐ Engage management

☐ Review existing systems

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Step 2—Engage the Community

Communities and beneficiaries need to feel comfortable reporting potential Code of Conduct violations, instances of exploitation and abuse and program concerns. Therefore it is important that you involve them in the design of the reporting mechanisms, and it is recommended that you do so early on. Possible options for gathering community and beneficiary feedback include:

Structured Discussions: Meet with groups (e.g. men, women, boys and girls) to discuss what mechanisms they feel would work best for them.

Focus Groups: Meet with groups with common needs (e.g. women, children, persons with disabilities, older persons) to determine if there are special circumstances that will need to be accommodated to allow them to report complaints and concerns.

One-on-One Conversations: If certain individuals feel uncomfortable speaking in a group setting we recommend you meet with them in a one-on-one, or small group setting.

Barriers to reporting vary greatly by location and are dependent upon factors such as the nature of the humanitarian crisis, the extent to which people are vulnerable, local social norms including gender norms, and others. When dealing with situations of sexual exploitation and abuse, remember to pay particular attention to potential stigma and shame which could further victimize the survivors, including any repercussions they could face for reporting the incident. Additionally, community participation might actually endanger them as opposed to empower them.

Step 2 Action Items:

- ☐ Decide upon your method of outreach and set up meetings, gatherings or appointments
- ☐ Take careful notes to capture the feedback you receive from the community
- ☐ Consolidate the information you have gathered and begin planning your approach

Step 3—Develop your mechanisms

In developing reporting mechanisms, we are demonstrating to the communities in which we work, that we value accountability as an agency and hold our team members to account as representatives of the agency. We are acknowledging that we may make mistakes as an agency, but that we can learn from them. This is a reflection of Mercy Corps' culture and values—we treat complaints and feedback as important and helpful information rather than an indication of failure. LEARN and CHANGE!

Effective CARMs embody the following principles:

They are *SAFE*: the potential dangers and risks associated with reporting complaints have been taken into consideration. You have considered the risks to all parties and integrated ways to prevent injury and harm.

They are *CONFIDENTIAL*: complaint information, including identity information, is not distributed and access to it is limited to trustworthy parties.

They are *TRANPARENT*: members of the community know the CARMs exist, have been involved in their development, possess the ability to access them, and know how to use them.

They are *ACCESSIBLE*: multiple mechanisms exist and take into account the special access needs of the community with particular consideration given to potentially vulnerable members of the community.

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Step 3—continued

Reporting mechanisms can exist in many forms.
Examples include:

- Secure boxes—consider placing these in discreet but accessible locations, such as restrooms/toilets
- Informal gatherings—consider allowing community members to communicate a complaint confidentially during an event or get-together
- Questionnaires—consider periodically reaching out to community members via a standard questionnaire designed to encourage feedback
- Private appointments—consider allowing beneficiaries and community members the option of speaking privately with the Focal Point. Due to the nature of some complaints, it might be best to include another team member (perhaps in-country leadership) in the meeting, to ensure there is more than one person as witness to the complaint.

There is no "one-size fits all" approach to the design of a mechanism. Even within the same country, mechanisms may vary by location. What helps one community report complaints, may look different from what helps another community.

A few important questions to ask while designing your CARMs:

- Can a complaint be filed on behalf of someone else? E.g. if someone is afraid for their safety, they are unable to travel, or they are illiterate.
- Are anonymous complaints acceptable? Bear in mind, this will affect your ability to report back to the complainant on the progress and resolution of their complaint or concern. It will also limit their ability to appeal any decisions made as a result of their complaint.
- Can complaints be received verbally or must they be in writing? These are all decisions that the in-country design team may make.

Although all CARMs will vary by location, all should account for the following:

<u>Physical Barriers:</u> account for distance and disabilities.

<u>Culture</u>: complaining may be frowned upon in certain cultures or may be treated as a privilege reserved for certain community members.

<u>Danger</u>: people may fear retaliation, retribution or stigma.

<u>Discretion</u>: receptacles/mechanisms should not be labeled in such a way that an individual filing a complaint is automatically identified as filing a complaint.

<u>Simplicity</u>: complex CARMs can be difficult to use, so keep things simple!

<u>Age and gender</u>: all Mercy Corps team members should be prepared to respond to complaints related to exploitation and abuse, including abuse based upon age and/or gender, and should take this into consideration when designing the CARMs.

<u>Confidentiality</u>: complainants will not report incidents if they are not confident that Mercy Corps will protect their identity.

<u>Training</u>: communities are more likely to make use of CARMs if they are trained and familiarized with the process prior to its implementation.

<u>Rights and Responsibilities</u>: Beneficiaries should understand that they will not lose access to the services or goods being provided by Mercy Corps as a result of their complaint.

Step 3 Action Items:

☐ Decide upon your reporting mechanisms

☐ Purchase materials, design and plan as necessary

☐ Review your mechanism design to ensure the questions and items listed here have been accounted for

Remember to ensure your mechanisms and training can be understood by all beneficiaries and that cultural norms, literacy levels and security have been taken into account.

Step 4—Train

Once your reporting mechanisms have been designed, it is important that you go back to the community to train them on how to use them. CARMs are only effective when beneficiaries and community members feel empowered by their knowledge of the process and when they know their rights. At a minimum, they should know:

- How Mercy Corps' defines Sexual Exploitation and Abuse
- Their right to be free from sexual exploitation and abuse

- Mercy Corps' Code of Conduct— our expectations of our team members
- The location of reporting mechanisms in their community
- Mercy Corps' commitment to protecting the identity of complainants and victims
- How they can help ensure confidentiality
- What they can expect to happen after they file a complaint, including timeframe, rules, and Mercy Corps' decision-making process
- Mercy Corps HQ's involvement / role
- Their Focal Points and where they can find them

Step 5—CARMs in action

Once a concern is raised or a complaint made, Focal Points should do the following:

1: Take action to provide the complainant with immediate medical or psychological support and address imminent security concerns for the complainant and the accused (as applicable) should the situation warrant this. Country leadership and HQ Human Resources should be immediately engaged to support the Focal Point in the event this type of action is necessary.

2: Immediately submit an official report to headquarters, including the following information:

- Name and contact information (optional, if you allow anonymous complaints)
- The date the complaint was received
- Details of the complaint, including the person the complaint referred to
- Any and all action taken to date
- Confirmation of whether or not Mercy Corps HQ can contact the complainant directly
- Confirmation of whether or not a Mercy Corps team member can visit the complainant
- Agreed date of response
- Proposed next steps and/or details of the resolution coordinated in country

All incidents, concerns and complaints should be communicated to headquarters at this address:
MCCares@mercycorps.org.
This email address has been established specifically for this purpose and is monitored by both the Director of Human Resource Services and General Counsel.

3: Acknowledge receipt of the report or complaint. There is no standard method for confirming receipt, however, it is important the complaint is formally acknowledged and the details of the complaint confirmed back to the complainant (e.g. the date the concern or complaint was received, an anticipated date that the complainant will receive further information and an overview of the appeal process, should the complainant take issue with the resolution, etc.)

Step 4 and 5 Action Items:

☐ Conduct community trainings

☐ Conduct team trainings to ensure team members know how the CARMs work and that they understand their roles and responsibilities

☐ Ensure each focal point knows exactly what to do in the event of a complaint

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Step 5 and 6 Action Items:

☐ Work with in-country leadership and/or HQ to determine next steps/action

☐ Address/investigate

☐ Communicate back to complainant about resolution

☐ Work with in-country leadership and HQ to analyze potential "lessons learned"

Step 5—CARMs in Action, continued

Next steps/outcome will vary greatly depending upon the circumstances of the concern or complaint. It is important that all concerns and complaints be addressed immediately upon receipt.

4: Many concerns or complaints will be simple in nature and therefore easy to resolve with common sense and knowledge of Mercy Corps' Code of Conduct or program management standards. In circumstances where the Focal Point(s) feel this is the case, they should work with in-country leadership to determine the resolution process.

In the event of a more complex complaint, the Focal Point(s) should always work with both in-country leadership and the headquarters Human Resource Services and Legal teams to determine next steps. In cases of alleged team member misconduct, the resolution process will be coordinated by a trained team member at headquarters. The coordination may occur in-country or remotely. In cases of alleged team member misconduct, a full investigation must occur before Mercy Corps will determine whether or not the complaint is upheld.

5: Communicate the results or resolution of the complaint to the complainant. In circumstances where the complaint is being addressed for a prolonged period of time, it is best practice to provide updates to the complainant throughout the process. All complaints, no matter their simplicity or complexity should be addressed, documented and their outcome or resolution communicated.

Step 6—Learning & Evaluating

Resolving concerns and complaints is important. Equally important, however, is evaluating the results, learning from them and affecting change. During the resolution process, in-country leadership and headquarters should be involved in assessing why the situation that caused the complaint was able to occur and how to avoid a similar occurrence going forward.
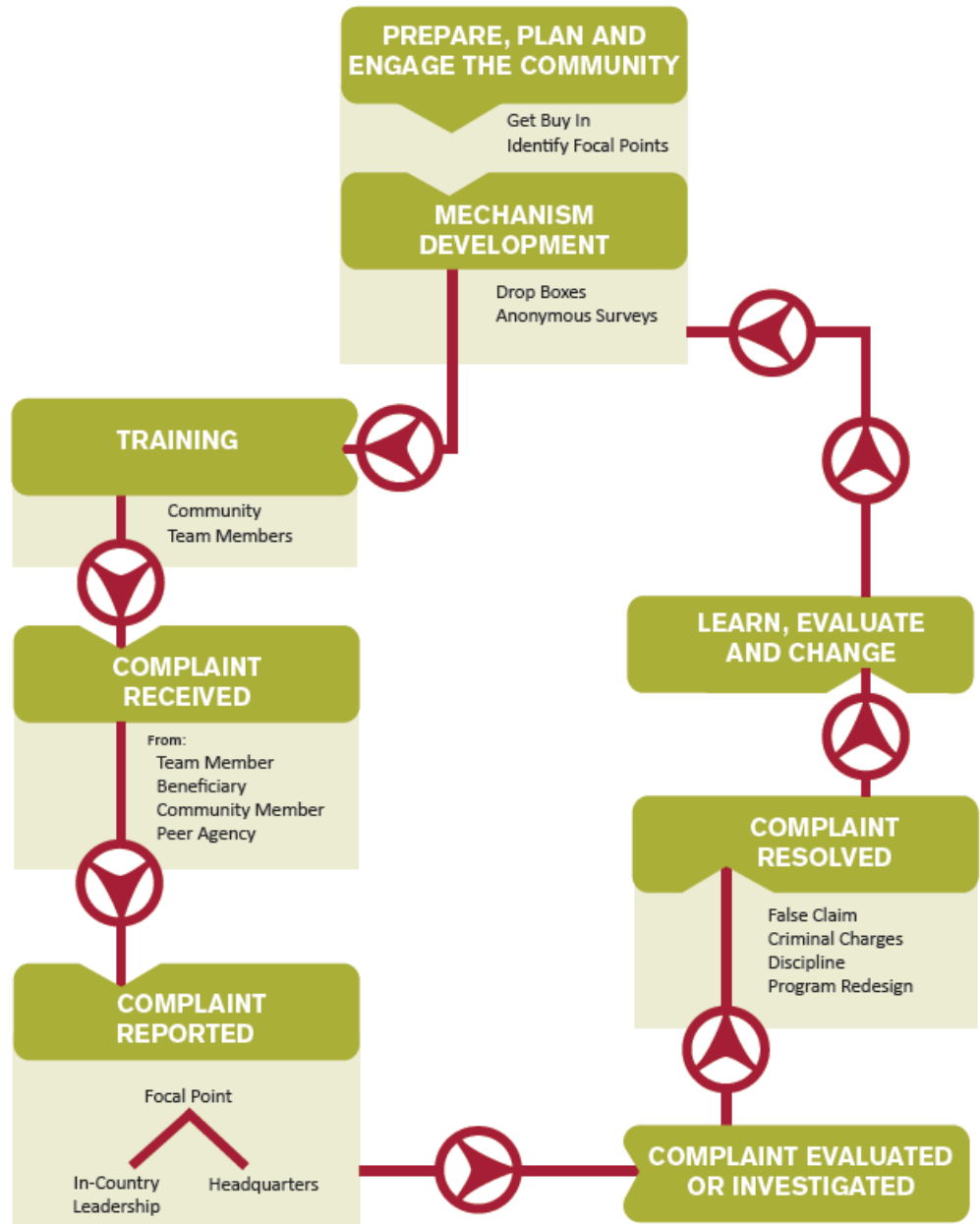
Monitoring & Evaluating your CARMs

In coordination with the Human Resource Services team at headquarters, you should periodically analyze the following:

• Accessibility—looking at the types of complaints received, evaluate whether or not the CARMs are accessible to all community members and beneficiaries.

• Statistics—collect information and identify trends. Using the results of your analysis, educate the Mercy Corps team about why a certain type of situation arose and how to prevent a similar occurrence in the future.

• Use your "lessons learned" to make informed decisions about people management, oversight and accountability to Mercy Corps' Code of Conduct.

• Report back to the community regularly regarding the type of complaints received as well as Mercy Corps' resolution process, bearing in mind never to provide any protected or confidential information. If you are unable to guarantee confidentiality in your report due to the limited number of complaints received, or due to the severity of the claim, reduce your reporting frequency.

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CARMs—a visual process guide

PREPARE, PLAN AND ENGAGE THE COMMUNITY
Get Buy In
Identify Focal Points

MECHANISM DEVELOPMENT
Drop Boxes
Anonymous Surveys

TRAINING
Community
Team Members

COMPLAINT RECEIVED
From:
Team Member
Beneficiary
Community Member
Peer Agency

COMPLAINT REPORTED
Focal Point
In-Country Leadership
Headquarters

COMPLAINT EVALUATED OR INVESTIGATED

COMPLAINT RESOLVED
False Claim
Criminal Charges
Discipline
Program Redesign

LEARN, EVALUATE AND CHANGE

All incidents, concerns and complaints should be communicated to headquarters immediately via MCCares@mercycorps.org.

This email address has been established specifically for this purpose and is monitored by both the Director of Human Resource Services and General Counsel.

Team Members and CARMs

Mercy Corps has an obligation to ensure that our team members are aware of the vulnerability of the communities in which we work, and are committed to upholding our Codes of Conduct. All Mercy Corps team members, regardless of their hiring office, should complete our Code of Conduct eLearning course to learn about our standards of conduct and reporting procedures. All team members should also be familiar with our Program Management standards as detailed in our Program Management Manual.

All team members are required to report inappropriate or concerning situations or circumstances they become aware of, that involve the community, beneficiaries or other sub-contracted partner agencies. It is important that team member receiving trainings on the purpose and use of CARMs. Additionally, team members should be free from criticism, retaliation or repercussions for reporting, and should be offered the same protection of confidentiality as a community beneficiary. Team members should also be made aware of what will happen if they fail to report something that should otherwise have been (including possible disciplinary measures as determined by in-country leadership and/or HQ HR Services).

Partnering with other organizations

Presuming there is no pre-existing mechanism for inter-agency cooperation already established, Mercy Corps should consider potential agencies and teams with whom they are likely to have contact in the course of their programming and consider in what ways they may need to cooperate.

Key questions to consider, include:

- How will each organization alert the other to complaints?
- How will each organization protect confidentiality while sharing information?
- Who will know about the complaint from each organization? How much will they know?
- What are each organization's responsibilities and reporting obligations?
- Who will manage the investigation?
- How will investigators be chosen?
- How will a joint effort be organized?
- How will each deal with issues that might arise between the organizations?
- Who should receive the report?
- If the person(s) being implicated by the complaint are from multiple agencies, how will the organizations ensure that penalties/responses are consistent?

By addressing these questions when setting up your CARMs, you may significantly reduce the likelihood of compromised investigations due to inter-agency conflicts.

Action Items:

☐ Communicate expectations about non-retaliation to all team members

☐ Identify your partner and peer agencies

☐ Reach out to partner and peer agencies to begin discussions about CARMs using the questions listed here as your guide

☐ Formalize and document expectations with peer and partner agencies

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Feedback

We welcome your feedback regarding the usefulness of these guidelines. In order for us to improve this resource we ask that you answer the questions below.

Were these guidelines useful for you in developing and implementing your Community Accountability Reporting Mechanisms?

☐Very useful ☐Useful ☐Somewhat useful ☐Not useful at all

Do you feel you have the necessary tools and knowledge to implement your Community Accountability Reporting Mechanisms

☐Yes ☐No ☐Not sure

If you answered "no" or "not sure", please explain why:

Is there guidance or information that you feel is missing from this guide?

Is there a specific topic that you feel needs additional explanation or clarification?

Feedback should be submitted to Jessica Carl, Director of Global Human Resource Services at jcarl@mercycorps.org

If you have questions about Mercy Corps' Code of Conduct, Prevention from Sexual Exploitation and Abuse or Child Safeguarding policies, of if you would like additional support in developing your CARMs, please contact:

- Portland Headquarters: Jessica Carl, Director of Human Resource Services at jcarl@mercycorps.org
- Edinburgh Headquarters: Susan Moore, Director of Human Resources at samoore@uk.mercycorps.org

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Definitions

*Accountability—*A situation in which people who are affected by decisions (e.g. staff or people of concern) are able to influence the decisions and decision-makers through questions and complaints. Accountability implies one person's right to 'have a say' and another person's duty to consider and respond. *[Humanitarian Accountability Partnership – www.hapinternational.org]*

*Affiliate—*A business or enterprise owned or controlled by Mercy Corps.

*Child—*Any individual under the age of 18, regardless of how the country or cultural norms define adulthood.

*Beneficiary—*Any person or child directly or indirectly benefiting from a Mercy Corps program or community initiative.

*Complainant—*The victim or witness of the program concern, abuse or exploitation who raises the concern or complaint.

*Complaint—*Feedback directly related to a concern or abuse perpetrated by Mercy Corps or one of its team members or affiliates.

*Community—*Residents of the area(s)/location(s) where Mercy Corps operates.

*Feedback—*Helpful information that can be both positive and/or negative and generally references minor issues; can be given formally or informally.

*Focal Point—*A person designated to receive complaints of cases of sexual exploitation and abuse

*Physical abuse of a child—*Act/s or omission/s which results in actual or potential physical harm to a child from an interaction or lack of interaction, which is reasonably within the control of a parent or a person in a position of responsibility, power, or trust. There may be single or repeated incidents. *[United Nations Secretariat- 9 October 2003. Secretary General's Bulletin on Special Measures for Protection from Sexual Abuse and Sexual Exploitation, 2003/13 (ST/SGB/2003/13). United Nations.]*

*Response Mechanism—*A formalized process known and understood by beneficiaries and team members through which complaints or concerns can be raised for objective investigation and/or response.

*Sexual Abuse—*An actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. *[United Nations Secretariat. 9 October 2003. Secretary General's Bulletin on Special Measures for Protection from Sexual Abuse and Sexual Exploitation, 2003/13 (ST/SGB/2003/13). United Nations.]*

*Sexual abuse of children—*The involvement of a child in sexual activity that s/he does not fully comprehend, give informed consent to, or for which s/he is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. It is evidenced by an activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. It may include, but is not limited to, the inducement or coercion of a child to engage in any unlawful sexual activity; the exploitative use of a child in prostitution or other lawful sexual practices; the exploitative use of pornographic performances and materials. *[World Health Organisation (WHO). 1999. Report of the Consultation on Child Abuse Prevention (WHO/HSC/PVI/99.1). WHO, Geneva]*

*Sexual Exploitation and Abuse—*An act or threat of physical intrusion of a sexual nature by force or under unequal or coercive conditions. Sexual exploitation is any act or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. *[ECHA 9/2009]*

*Survivor or Victim—*The person who is, or has been, sexually exploited or abused. This term implies strength, resilience and the capacity to survive.

*Team Member—*Any employee, intern, consultant, volunteer, board member, or otherwise affiliated individual working with or for Mercy Corps or one of its affiliates.