

**Agenda Item: Independent Complaints Panel and Raising a Concern policies**

**Summary:**

This cover sheet provides a summary of the key changes that have been made to two policies in the IPPF's Policy Handbook:

**1.19 Raising a Concern; and 1.23 Independent Complaints Panel** (re-titled Independent Complaints Committee policy).

These policies were approved and implemented in 2018. Since that time, they have been reviewed on the basis of operational use of each, in response to cases reported to IPPF SafeReport.

No material changes that result in any diminishment of the rights of individuals, within the scope of either policy, have been made. The policies were agreed by the DLT following discussion and were reviewed by a lawyer and IPPF's Legal Counsel.

The key changes are as follows:

**Policy 1.19: Raising a Concern**

**Restructured** to make it easier for people to understand, navigate and adhere to the policy.

**New content** in paras 7 and 8 giving information about what happens when a concern is raised.

**Makes clearer** that this is the gateway policy for concerns, complaints and/or whistleblowing – referred to as reports. Once a new report is received in respect of this policy, and, on a case by case basis, regional, local operational policies and procedures will apply in the secretariat and MA/CP policies will apply in MAs and CPs, e.g., a grievance policy.

**Standardises** the guiding principles.

**Policy 1.23 Independent Complaints Committee (ICC)**

**Restructured** to separate policy from procedure – with procedural issues being moved to a schedule and to align with the Raising a Concern policy where they relate.

**Change** to who can appoint members to the ICC – the old policy stated that the full board had to appoint and this has not been workable. It now gives this authority to the Chair of the Board of Trustees following recommendations made by the Director General.

**Standardises** the guiding principles.

**Action Required:**

- The Board approve policy 1.19 Raising and Concern and 1.23 Independent Complaints Committee Policy for implementation.

**Follow Up Work Required:**

Once these policies have been approved, the remaining six policies in the suite of eight safeguarding-related policies will be reviewed. If nomenclature or other amendments are required, these will be made and presented to the Board of Trustees for ratification.

## **Policy 1.19**

### **RAISING A CONCERN**

#### **1. Introduction**

- 1.1 IPPF expects that those working for and representing the organization will act with honesty and integrity including by not discriminating on the basis of age, sex, sexual orientation, gender, gender identity or expression, race, ethnic or national origin, religion or belief, partnership status, pregnancy or parental status, disability, health or any other analogous personal status.<sup>1</sup>
- 1.2 IPPF recognises that the right to be free from abuse, exploitation and harassment is enshrined in international human rights legislation, namely ICERD, ICCPR, ICESCR, CEDAW, CAT, CRC, CRPD.<sup>2</sup> IPPF additionally acknowledges that sexual harassment and abuse are a form of gender-based violence.
- 1.3 IPPF is committed to supporting good management practice and to creating an open culture where volunteers, trustees and staff feel able to speak up and express concerns and raise complaints about their colleagues' and managers' conduct informally with them in the first instance.
- 1.4 IPPF is committed to protecting its volunteers, trustees and staff from any detriment, victimization, harassment or bullying as a result of raising a concern. Reports of any such behaviour will be taken seriously and managed appropriately through the relevant disciplinary process.
- 1.5 IPPF is accountable to the communities where it works, its beneficiaries, donors and supporters, as well as to its volunteers, trustees and staff. An open, fair and central complaints and whistleblowing process supports IPPF in creating a culture of speaking up and is an integral part of IPPF's safeguarding approach. Therefore, IPPF Secretariat will maintain the oversight and coordination of all complaints, concerns and whistleblowing reports across the Federation.
- 1.6 Understanding, responding to and learning from complaints, concerns and whistleblowing reports is an essential part of IPPF's transparency and accountability processes. Feedback about IPPF complaints, concerns and whistleblowing reports allows IPPF to reflect on and identify how IPPF needs

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<sup>1</sup> Equality, Diversity and Inclusion Policy.

<sup>2</sup> **ICERD**: International Convention on the Elimination of All Forms of Racial Discrimination, **ICCPR**: International Covenant on Civil and Political Rights, **ICESCR**: International Covenant on Economic, Social and Cultural Rights, **CEDAW**: Convention on the Elimination of All Forms of Discrimination against Women, **CAT**: Convention against Torture and Other Cruel, Inhuman or Degrading treatment or Punishment, **CRC**: Convention on the Rights of the Child, **CRPD**: Convention on the Rights of Persons with Disabilities.

to change and to adapt. IPPF views this process as a positive opportunity to learn, develop and improve.

1.7 This policy does not form part of any contract of employment or other contract to provide services, and IPPF may amend it at any time.

## 2. **Purpose and Scope**

2.1 This policy applies to all complaints, concerns and whistleblowing reports. It makes clear the guiding principles that should be adhered to by all who are within the scope of this policy.

2.2 This policy makes clear how complaints, concerns, or whistleblowing reports should be raised (reported) and responded to and the guiding principles that apply to the response.

2.3 The guiding principles and values set out in this policy are applicable to all elements of IPPF (its Secretariat, Member Associations and collaborative partners including members of the General Assembly, Nominations and Governance Committee, Board of Trustees, Finance, Audit & Risk Committee, Membership Committee, Policy, Strategy and Investment Committee and Resource Allocation Technical Committee, Legal Counsel and governing bodies of Member Associations and collaborative and other partners).

2.4 Collaborative and other Partners are required to adhere to this policy in addition to their own policies and procedures which shall be aligned with this policy.

## 3. **Definitions**

3.1 **Complaint or concern** means an expression of dissatisfaction or statement of concern that relates specifically to any element IPPF (as described above). It can relate, for example, to malpractice, misconduct, actions taken, lack of action or behaviour. It is not a complaint or concern about IPPF's work generally; a general question about IPPF's or the individual's work; a request for information; or a suggestion about how IPPF or the individual could operate or improve its or their work.

3.2 **Detriment** occurs when an employee is subjected to a disadvantage; e.g., losing a job, exclusion, demotion, denial of promotion, blocking access to training, resources etc or a refusal of service or reduction in the quality of service offered or provided.

3.3 **Grievance procedure** is the internal procedure that will be followed where a staff member has submitted a Report about employment and work place matters relating to them.

- 3.4 **Incident Coordinator** is a person assigned by IPPF's Global Incident Reporting Unit or a Regional Incident Reporting Unit, to manage a Report.
- 3.5 **IPPF SafeReport** is a confidential, multi-lingual reporting mechanism and case management system.
- 3.6 **Malpractice and/or misconduct** includes, but is not limited to, the issues listed below:
- (a) Financial wrongdoing including theft, bribery, fraud, money laundering and aid diversion;
  - (b) Failure to comply with any legal obligations;
  - (c) Bullying and harassment including sexual harassment, or victimisation of a volunteer, trustee or staff member;
  - (d) Abuse or exploitation, including sexual, of children, vulnerable adults or beneficiaries;
  - (e) Breach of IPPF's Code of Conduct or Respect at Work Policy;
  - (f) Abuse of authority;
  - (g) Danger to the health and safety of individuals or damage to the environment;
  - (h) Other improper conduct or unethical behaviour;
  - (i) Activity which would bring the organisation into serious disrepute;
  - (j) Concealment of information relating to any of the matters listed above.
- 3.7 **Report** means a complaint, concern or whistleblowing report submitted to IPPF or any of its elements.
- 3.8 **Reporter** is a person who submits a Report.
- 3.9 **Unmeritorious** in relation to a Report means one that does not warrant further investigation or action because it:
- (a) Is not within the scope of this policy;
  - (b) Concerns matters that have already been addressed under this policy or any other IPPF policy or procedure;
  - (c) Is trivial, obviously lacks substance or appears to have no serious purpose or value;

- (d) Appears malicious or mainly intended to cause inconvenience, harassment or disproportionate expense to IPPF and or any individuals complained about; or
  - (e) Otherwise appears frivolous, repetitive, unreasonably burdensome or unwarranted.
- 3.10 **Victim/survivor** means anyone alleged to have been harmed by the actions of IPPF or those under its control.
- 3.11 **Whistleblower** means a worker who makes a whistleblowing report.
- 3.12 **Whistleblowing report** means any disclosure of information made by a worker which, in the reasonable belief of the worker making the disclosure, is made in the public interest and tends to show one or more of the following:
- (a) That a criminal offence has been committed, is being committed or is likely to be committed;
  - (b) That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject;
  - (c) That a miscarriage of justice has occurred, is occurring or is likely to occur;
  - (d) That the health or safety of any individual has been, is being or is likely to be endangered;
  - (e) That the environment has been, is being or is likely to be damaged; or
  - (f) That information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

#### 4. **Anonymous Reports**

- 4.1 IPPF would rather receive an anonymous Report than not have it reported at all. However, it may be difficult for IPPF to investigate Reports made anonymously, especially if they are not adequately substantiated.
- 4.2 Where IPPF is unable to investigate an anonymous Report, it will nevertheless be reviewed and logged.
- 4.3 Individuals concerned about being identified are encouraged to request confidentiality.

## 5. **Unmeritorious Reports**

- 5.1 IPPF may decide not to proceed with the investigation of a Report if it is deemed unmeritorious. In considering whether a Report is unmeritorious, IPPF recognises that:
- (a) Individuals submitting a Report may be aggrieved and frustrated so the focus must be on careful consideration of the merits of the case and not the attitude of the individual.
  - (b) Every Report must be considered on its own merits. Even if someone has submitted a frivolous or vexatious Report in the past, it must not be assumed that any Report they submit will also be frivolous or vexatious.
- 5.2 A decision not to proceed with the investigation of a Report will be taken in accordance with IPPF's established internal procedures in force at the relevant time.
- 5.3 Vexatious and/or persistent or repetitive frivolous Reports submitted by volunteers, trustees and workers may result in disciplinary action. It is important to stress that disciplinary action will not be taken in respect of individuals who are merely mistaken or incorrect, and that disciplinary action will only be taken when the nature of the Reports is such that they can fairly be categorized as malicious and/or harassing and/or brought in bad faith.
- 5.4 Reports which if submitted by workers could result in disciplinary action may, if brought by persons external to IPPF, result in legal action.

## 6. **Guiding Principles**

### ***Accessibility***

- 6.1 IPPF is committed to making the process of submitting a Report as easy as possible. IPPF's incident reporting service, IPPF SafeReport, is available in a number of different formats and languages. Support is available on request, in strictest confidence through the service, to individuals with additional needs. All Reports should be reported to IPPF SafeReport: <https://ippf.safereport.eu/web>

### ***Accountability and transparency***

- 6.2 Reports submitted to IPPF SafeReport will be acknowledged.
- 6.3 IPPF's Global Incident Reporting Unit will log and monitor all Reports that are received and will collate statistics for IPPF's annual reporting. IPPF will ensure that regular reviews are undertaken of the types and number of Reports and

will report on those and their implications to the Board of Trustees and, as appropriate, externally.

- 6.4 IPPF aims to ensure that all feedback and lessons learnt from Reports contribute to service improvement and staff welfare.
- 6.5 IPPF will ensure it fulfils its internal escalation and external reporting responsibility in relation to sharing information about Reportable or Serious Incidents (RoSI). It has in place a RoSI policy, process and procedure to ensure timely internal escalation and external reporting where required.

### ***Confidentiality***

- 6.6 All Reports are processed, managed and stored in accordance with IPPF's policies on confidentiality and data privacy.
- 6.7 Information about a Report will be provided *only* to those people who need to know about it, in order for the Report to be actioned properly. Personal details about the reporter and any alleged perpetrators will remain confidential within the need-to-know group.
- 6.8 Where confidentiality is requested, every effort will be made to maintain this and identities will not be disclosed without prior consent, unless required by law.
- 6.9 Reporters should be aware that information provided to IPPF may not remain confidential from IPPF's regulators or from major funders who have a contractual right to receive certain information. Reports that contain information that IPPF considers should be reported to any regulator, the police or any other statutory authority will not be kept confidential from such regulator, the police or other statutory authority.
- 6.10 IPPF recognises that non-disclosure agreements do not prevent individuals from making disclosures in the public interest.
- 6.11 The Secretariat will undertake periodic checks to ensure compliance with IPPF's policies on collecting and using data in connection with handling Reports.
- 6.12 The direct report of concerns by a whistleblower to the media or otherwise to organizations outside the IPPF (including all its elements, as described above) may, depending on the appropriateness of the recipient of the information, negate the whistleblower's rights under this policy and/or under local law.

### ***Efficiency and timeliness***

- 6.13 IPPF will acknowledge and aim to resolve Reports in a timely manner.

## ***Fairness***

- 6.14 IPPF will listen to the reporter and take the time to understand what the Report is about, the reasons for it and the outcome the person expects.
- 6.15 Reports will be dealt with consistently and the persons investigating and making decisions will be impartial.
- 6.16 No volunteer, trustee or staff member will be subject to any detriment, victimization, harassment or bullying as a result of submitting a Report. This shall not, however, prevent disciplinary action being taken as described in paragraph 5.3 of this policy.
- 6.17 If the reporter is receiving a service from IPPF, submitting a Report will not affect the service they receive.

## ***Protection for reporters and alleged victims/survivors***

- 6.18 IPPF endeavours to ensure all processes relating to Reports are victim / survivor focused. This means that, while due process is followed, the needs of any victim / survivor remain at the forefront of any investigation process.

## **7. How to Submit a Report**

- 7.1 Reports should be submitted through IPPF SafeReport, IPPF's reporting mechanism, accessible on IPPF's website: [IPPF SafeReport](#).
- 7.2 Any Report submitted through other channels, will be submitted to IPPF SafeReport.
- 7.3 Staff and volunteers can also choose to discuss their concern or complaint with an appropriate manager, director, Safeguarding and Incident Management Advisor, union representative or member of a Human Resources team, following which it may be submitted to IPPF SafeReport if the reporter wishes the matter to be responded to.

## **8. Responding to Reports**

- 8.1 When a Report is submitted through IPPF SafeReport, it will be triaged at the Global Incident Reporting Unit and assigned to the appropriate secretariat region, considering any known conflicts of interest.
- 8.2 Once received by the regional secretariat regional office, it will be triaged by the Regional Incident Reporting Unit and assigned to the relevant secretariat Incident Coordinator, considering any known conflicts of interest.
- 8.3 The response for each Report will depend on the nature of the Report, the people involved, and the entity the Report relates to. For example, if a



member of Secretariat staff submits a Report about a Secretariat colleague, the grievance policy will be followed. If a client of an IPPF service run by a Member Association submits a Report about that Member Association's service to them, then the appropriate Member Association policy will be followed.

***Reports about matters relating to the Secretariat***

- 8.4 If the Report relates to the IPPF Secretariat, the Incident Coordinator will, on a need-to-know basis, discuss with appropriate colleagues in confidence the appropriate response to be taken and which policy should be applied.

***Reports about Member Associations, Collaborative or other Partners or Organisations***

- 8.5 If the Report relates to an entity other than the IPPF Secretariat, e.g., an IPPF Member Association, collaborative or other partner, the Incident Coordinator will alert the appropriate individual/s in that organisation and share the information received so that it can be responded to by that entity, considering any confidentiality or known conflict of interest matters.
- 8.6 The Member Association, collaborative or other partner will carry out their own investigation or other proportionate response once the case has been shared with them and provide regular updates to the IPPF Incident Coordinator. The Member Association, collaborative or other partner will share with the Incident Coordinator the final findings, outcome/s, conclusion and lessons learned from the investigation.
- 8.7 If a decision is made that IPPF needs to investigate a Report about a Member Association, collaborative or other partner, that organization is required to cooperate with the investigation and adhere to the IPPF Confidentiality and Information Sharing Policy.

8.8 Substantiated malpractice or failure of a Member Association to follow due process or ensure the implementation of the outcomes and recommendations of an investigation shall engage Section 9 of IPPF Act and Regulations on Suspension and Expulsion of Member Associations.

- 8.9 Substantiated malpractice or failure of any partner to ensure the implementation of the outcomes and recommendations of an investigation may amount to a breach of IPPF's contractual agreement with this partner. This may incur sanctions and termination of contract.

## ***Reports involving the officers at the highest-level of the Federation***

8.10 Reports submitted in respect of members of the IPPF Nominations and Governance Committee; the Board of Trustees, including the Chair of the Board of Trustees; the Legal Counsel; members of the Finance, Audit and Risk Committee, Policy, Strategy and Investment Committee and Resource Allocation Technical Committee; members of any other committee established by the Board of Trustees or the General Assembly; and the Director General, are dealt with in line with IPPF's Independent Complaints Committee policy.

## **9. Implementation**

9.1 It shall be the responsibility of the Board of Trustees, Director General, Regional and Divisional Directors, Member Associations' boards and Executive Directors to ensure that this Raising a Concern policy is adhered to.

9.2 Where a Member Association, collaborative or other partner implements or has in place a policy that aligns with this Raising a Concern Policy, but may be titled differently, it should meet the above-mentioned guiding principles, be monitored and reviewed within a timeframe agreed by management.

9.3 IPPF Member Associations, collaborative or other partners and Secretariat will:

- (a) Ensure their volunteers, trustees, staff and beneficiaries and local communities are aware of this policy and know how to submit Reports to IPPF SafeReport.
- (b) Adopt and implement complaints, grievance and disciplinary policies and procedures based on the above guiding principles whilst reflecting local legislation and requirements.
- (c) Ensure all leaders and managers lead by example and promote an environment where raising concerns is encouraged and welcomed.
- (d) Ensure all Reports are appropriately logged and recorded.
- (e) Make available evidence of all of the above to the secretariat upon request.

## **10. Other Complaint Mechanisms**

10.1 Anyone wishing to complain about IPPF may complain to relevant regulators such as the Charity Commission for England and Wales, the Information Commissioner and the Fundraising Regulator. However, IPPF hopes that anyone wishing to complain will first raise the matter with IPPF in accordance

with this policy. Depending on the nature and seriousness of the matters raised, IPPF may in any case make its own report to relevant regulators.

*As adopted by IPPF Governing Council, November 2018.*

*Proposed for amendments by Board of Trustees, November 2023.*

## **Policy 1.23**

### **INDEPENDENT COMPLAINTS COMMITTEE**

#### **11. Introduction**

- 11.1 IPPF places particular expectations on its officers at the highest level of the Federation. This includes a responsibility to not act in ways that may be classified as malpractice or misconduct – see paragraph 13.5, below). They are to demonstrate leadership, excellence and accountability in upholding IPPF’s values and contributing to the creation of a positive organisational culture and environment.
- 11.2 IPPF is committed to supporting good management practice and to creating an open culture where volunteers, trustees and staff feel able to speak up and express concerns and raise complaints about their colleagues’ and managers’ conduct informally with them in the first instance.
- 11.3 IPPF is committed to protecting its volunteers, trustees and staff from any detriment, victimization, harassment or bullying as a result of raising a concern. Reports of any such behaviour will be taken seriously and managed appropriately through the relevant disciplinary process.
- 11.4 The Raising a Concern Policy sets out the expected standards and approaches for how complaints, concerns and whistleblowing reports are dealt with by the Federation in the spirit of accountability, transparency, effectiveness, and fairness.
- 11.5 IPPF expects that those working for and representing the organisation will act with honesty and integrity including by not discriminating on the basis of age, sex, sexual orientation, gender, gender identity or expression, race, ethnic or national origin, religion or belief, partnership status, pregnancy or parental status, disability, health or any other analogous personal status.<sup>3</sup>
- 11.6 This policy does not form part of any contract of employment or other contract to provide services, and IPPF may amend it at any time.

#### **12. Purpose and Scope**

- 12.1 This policy establishes the Independent Complaints Committee to deal with Reports (as defined below) submitted in respect of members of the IPPF Nominations and Governance Committee; the Board of Trustees, including the Chair of the Board of Trustees; the Legal Counsel; members of the Finance, Audit and Risk Committee, Policy, Strategy and Investment Committee and Resource Allocation Technical Committee; members of any other committee established by the Board of Trustees or the General

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<sup>3</sup> Equality, Diversity and Inclusion Policy

Assembly; and the Director General; and it specifies the applicable procedure.

- 12.2 The Director General, the Board of Trustees or (acting together) the Chair and Vice-Chair of IPPF may refer any other Report to the Committee if they consider the matter sufficiently serious and warranting entirely independent review.
- 12.3 The Committee will also deal with appeals lodged by Regional Directors and Divisional Directors in respect of disciplinary decisions against them taken by the Director General under IPPF's applicable disciplinary policies and procedures.
- 12.4 A Report that is (a) a grievance from an IPPF Secretariat employee about those people listed in paragraph 12.1 above; (b) an appeal from a disciplinary decision made by the Director General in respect of a Regional Director or Divisional Director; or (c) a disciplinary matter in respect of the Director General, shall be dealt with under IPPF's grievance policy and procedure or disciplinary policy and procedure, as appropriate. However, the individual or individuals who decide the on the grievance, disciplinary matter or appeal shall be selected from among the Committee members.

### 13. **Definitions**

- 13.1 **Committee** means the Independent Complaints Committee established under this policy.
- 13.2 **Complaint or concern** means an expression of dissatisfaction or statement of concern that relates specifically to one or more people to whom this policy applies. It can relate, for example, to malpractice, misconduct, actions taken, lack of action or behaviour. It is not a complaint or concern about IPPF's work generally; a general question about IPPF's or the individual's work; a request for information; or a suggestion about how IPPF or the individual could operate or improve its or their work.
- 13.3 **Incident Coordinator** is a person assigned by IPPF's Global Incident Reporting Unit or a Regional Incident Reporting Unit, to manage a Report.
- 13.4 **IPPF SafeReport** is a confidential, multi-lingual reporting mechanism and case management system.
- 13.5 **Malpractice and/or misconduct** includes, but is not limited to, the issues listed below:
  - (a) Financial wrongdoing including theft, bribery, fraud, money laundering and aid diversion;

- (b) Failure to comply with any legal obligations;
  - (c) Bullying and harassment including sexual harassment of a volunteer, trustee or staff member;
  - (d) Abuse or exploitation, including sexual, of children, vulnerable adults or beneficiaries;
  - (e) Breach of IPPF's Code of Conduct or Respect at Work Policy;
  - (f) Abuse of authority;
  - (g) Danger to the health and safety of individuals or damage to the environment;
  - (h) Other improper conduct or unethical behaviour;
  - (i) Activity which would bring the organisation into serious disrepute;
  - (j) Concealment of information relating to any of the matters listed above.
- 13.6 **Outcome decision** means a decision of a Committee member or panel of Committee members deciding on a Report following an investigation, or determining an appeal.
- 13.7 **Report** means a complaint, concern or whistleblowing report submitted to IPPF.
- 13.8 **Reporter** means a person who submits a Report.
- 13.9 **Secretary** means a secretary appointed by the Director General to support the work of the Committee, and who shall be responsible for keeping this policy under review.
- 13.10 **Unmeritorious** in relation to a Report means one that does not warrant further investigation or action because it:
- (a) Is not within the scope of this policy;
  - (b) Concerns matters that have already been addressed under this policy or any other IPPF policy or procedure;
  - (c) Is trivial, obviously lacks substance or appears to have no serious purpose or value;
  - (d) Appears malicious or mainly intended to cause inconvenience, harassment or disproportionate expense to IPPF and or any individuals complained about; or

- (e) Otherwise appears frivolous, repetitive, unreasonably burdensome or unwarranted.
- 13.11 **Victim/survivor** means anyone alleged to have been harmed by the actions of IPPF or those under its control.
- 13.12 **Whistleblowing report** means any disclosure of information made by a worker which, in the reasonable belief of the worker making the disclosure, is made in the public interest and tends to show one or more of the following:
- (a) That a criminal offence has been committed, is being committed or is likely to be committed;
  - (b) That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject;
  - (c) That a miscarriage of justice has occurred, is occurring or is likely to occur;
  - (d) That the health or safety of any individual has been, is being or is likely to be endangered;
  - (e) That the environment has been, is being or is likely to be damaged, or
  - (f) That information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.
14. **Anonymous Reports**
- 14.1 IPPF would rather receive an anonymous Report than not have it reported at all. However, it may be difficult for IPPF to investigate Reports made anonymously, especially if they are not adequately substantiated.
- 14.2 Where IPPF is unable to investigate an anonymous Report, it will nevertheless be reviewed and logged.
- 14.3 Individuals concerned about being identified are encouraged to request confidentiality.
15. **Unmeritorious Reports**
- 15.1 IPPF may decide not to proceed with the investigation of a Report if it is deemed unmeritorious. In considering whether a Report is unmeritorious, IPPF recognises that:

- (a) Individuals submitting a Report may be aggrieved and frustrated so the focus must be on careful consideration of the merits of the case and not the attitude of the individual.
  - (b) Every Report must be considered on its own merits. Even if someone has submitted a frivolous or vexatious Report in the past, it must not be assumed that any Report they submit will also be frivolous or vexatious.
- 15.2 Vexatious and/or persistent or repetitive frivolous Reports submitted by volunteers, trustees and workers may result in disciplinary action. It is important to stress that disciplinary action will not be taken in respect of individuals who are merely mistaken or incorrect, and that disciplinary action will only be taken when the nature of the Reports is such that they can fairly be categorized as malicious and/or harassing and/or brought in bad faith.
- 15.3 Reports which if submitted by workers could result in disciplinary action may, if brought by persons external to IPPF, result in legal action.

## 16. **Guiding Principles**

The work of the Committee is guided by the following principles:

### ***Accessibility***

- 16.1 IPPF is committed to making the process of submitting a Report as easy as possible. IPPF's incident reporting service, IPPF SafeReport, is available in a number of different formats and languages. Support is available on request, in strictest confidence through the service, to individuals with additional needs. All Reports should be reported to IPPF SafeReport: <https://ippf.safereport.eu/web>

### ***Accountability and transparency***

- 16.2 Reports submitted to IPPF SafeReport will be acknowledged.
- 16.3 IPPF's Global Incident Reporting Unit will log and monitor all Reports that are received and will collate statistics for IPPF's annual reporting. IPPF will ensure that regular reviews are undertaken of the types and number of Reports and will report on those and their implications to the Board of Trustees and, as appropriate, externally.
- 16.4 IPPF aims to ensure that all feedback and lessons learnt from Reports contribute to service improvement and staff welfare.
- 16.5 IPPF will ensure it fulfils its internal escalation and external reporting responsibility in relation to sharing information about Reportable or Serious



Incidents (RoSI). It has in place a RoSI policy, process and procedure to ensure timely internal escalation and external reporting where required.

### ***Confidentiality***

- 16.6 All Reports are processed, managed and stored in accordance with IPPF's policies on confidentiality and data privacy.
- 16.7 Information about a Report will be provided *only* to those people who need to know about it, in order for the Report to be actioned properly. Personal details about the reporter and any alleged perpetrators will remain confidential within the need-to-know group.
- 16.8 Where confidentiality is requested, every effort will be made to maintain this and identities will not be disclosed without prior consent, unless required by law.
- 16.9 Reporters should be aware that information provided to IPPF may not remain confidential from IPPF's regulators or from major funders who have a contractual right to receive certain information. Reports that contain information that IPPF considers should be reported to any regulator, the police or any other statutory authority will not be kept confidential from such regulator, the police or other statutory authority.
- 16.10 IPPF recognises that non-disclosure agreements do not prevent individuals from making disclosures in the public interest.
- 16.11 The Secretariat will undertake periodic checks to ensure compliance with IPPF's policies on collecting and using data in connection with handling Reports.
- 16.12 The direct report of concerns by a whistleblower to the media or otherwise to organizations outside the IPPF (including all its elements, as described above) may, depending on the appropriateness of the recipient of the information, negate the whistleblower's rights under this policy and/or under local law.

### ***Efficiency and timeliness***

- 16.13 IPPF will acknowledge and aim to resolve Reports in a timely manner.

### ***Fairness***

- 16.14 IPPF will listen to the reporter and take the time to understand what the Report is about, the reasons for it and the outcome the person expects.
- 16.15 Reports will be dealt with consistently and the persons investigating and making decisions will be impartial.

- 16.16 No volunteer, trustee or staff member will be subject to any detriment, victimization, harassment or bullying as a result of submitting a Report. This shall not, however, prevent disciplinary action being taken as described in paragraph 15.2 of this policy.
- 16.17 If the reporter is receiving a service from IPPF, submitting a Report will not affect the service they receive.

***Protection for reporters and alleged victims/survivors***

- 16.18 IPPF endeavours to ensure all processes relating to Reports are victim / survivor focused. This means that, while due process is followed, the needs of any victim / survivor remain at the forefront of any investigation process.

**17. Functions of the Independent Complaints Committee**

- 17.1 The functions of the Committee shall be:
- (a) To consider and determine Reports referred to it in accordance with this policy.
  - (b) To consider and determine appeals from Divisional Directors and Regional Directors from decisions made by the Director General under IPPF's applicable disciplinary policies and procedures (to be dealt with by Committee members in accordance with such disciplinary policies and procedures).
  - (c) To consider and determine any other Report referred to it by Director General or the Board of Trustees which they consider sufficiently serious and warranting entirely independent review.
- 17.2 In performing their functions, the Committee members shall have regard to and shall comply with all applicable written policies and procedures of IPPF.

**18. Composition of the Independent Complaints Committee**

- 18.1 The Committee shall be a standing committee of people who are independent of IPPF and from whom panels can be drawn.
- 18.2 No Committee member shall be a person who has held office as a member of the Nominations and Governance Committee, Board of Trustees, Legal Counsel, a member the Finance, Audit and Risk Committee, Policy, Strategy and Investment Committee and Resource Allocation Technical Committee or any other committee established by the Board of Trustees, or a member of the governing body of any Member Association of IPPF.
- 18.3 No Committee member shall be a person who has been an employee of IPPF Secretariat or any Member Association.

- 18.4 IPPF shall seek to ensure diversity among the Committee members.
- 18.5 Each Committee member should be a person of good character and standing selected with a view to ensuring:
- (a) Support for IPPF's vision, mission and values.
  - (b) Independence, impartiality and objective judgement.
  - (c) Honesty and integrity.
  - (d) Ability to be analytical, to synthesise information and consider the consequences of decisions.
  - (e) Tact and diplomacy linked to a willingness to make fair decisions even where they may be unpopular.
  - (f) Good communication and interpersonal skills.
  - (g) Ability to maintain confidentiality.
  - (h) Commitment to equality, diversity and inclusion.
  - (i) Commitment and willingness to devote the necessary time to serve IPPF as a member of the panel.

19. **Appointment, Retirement and Removal of Committee Members**

- 19.1 The Committee members shall be appointed by the Chair of IPPF following recommendations made by the Director General.
- 19.2 Committee members shall be appointed for renewable terms of up to three years.
- 19.3 The Chair of IPPF shall seek to ensure continuity of knowledge and experience on the Committee such that not all of the Committee members retire at the same time.
- 19.4 The Chair of IPPF may appoint one member of the Committee as the Chair of the Committee and may remove that person from that office.
- 19.5 The Chair of IPPF may appoint one member of the Committee as the Vice-Chair of the Committee and may remove that person from that office.
- 19.6 If no appointments of Chair or Vice-Chair of the Committee are made, the Committee members may make such appointments from among their own number.

19.7 On appointment, each Committee member shall enter into an agreement with IPPF regulating the Committee member's relationship with IPPF, including their obligations as to confidentiality.

19.8 Once appointed, a member of the Committee may not be removed as a Committee member except by a 75% majority vote of those Trustees present and voting at a meeting of the Board of Trustees.

## 20. **Conflicts of Interest of Committee Members**

20.1 The Committee members shall follow the same procedures for declaring and managing conflicts of interest as must be followed by members of the Board of Trustees.

## 21. **Secretariat Support**

21.1 The Secretariat shall provide to the Committee such assistance as the Committee may reasonably require to enable it to perform its functions effectively and efficiently.

21.2 The Director General may appoint one or more individuals as Secretary to co-ordinate Secretariat support to the Committee and perform other tasks as required by this policy.

## 22. **Insurance and Indemnity**

22.1 IPPF shall, so far as it is able, procure that members of the Committee are insured in respect of the performance of their functions to the same extent as members of the Board of Trustees are insured in respect of their functions.

22.2 To the extent that any liability incurred by a Committee member in the exercise of their functions is not covered by insurance (unless that deficiency arises from the relevant panel member's own wilful or reckless act or omission) IPPF shall indemnify the Committee member in respect of that liability.

## 23. **Procedure**

The procedure set out in the attached schedule shall be followed in relation to Reports to be addressed under this policy.

## 24. **Conflict of Procedures**

- 24.1 If a Member Association receives a Report in respect of a person to whom this policy applies but the Report relates principally to the Member Association or to acts or omissions of that person in respect of any position held with the Member Association:
- 24.2 That Member Association shall manage the Report in accordance with its own policy and procedure and shall keep the Regional Director and the Director General informed of the progress and outcome of the Report, subject to any restrictions imposed by applicable local law.
- 24.3 If for any reason the Member Association does not manage the Report or does not commence its complaints procedure within a reasonable time, IPPF may manage the Report in accordance with this policy and the relevant body must co-operate with the investigation.
- 24.4 Neither IPPF nor the Member Association shall commence its procedure for managing the Report while the other is doing so.
- 24.5 If the Secretariat receives a Report that should instead be addressed by a Member Association in accordance with paragraph 24.1, the Secretariat shall promptly refer the matter to the Member Association.

25. **Other Complaint Mechanisms**

Anyone wishing to complain about IPPF may complain to relevant regulators such as the Charity Commission for England and Wales, the Information Commissioner and the Fundraising Regulator. However, IPPF hopes that anyone wishing to complain will first raise the matter with IPPF in accordance with this policy. Depending on the nature and seriousness of the matters raised, IPPF may in any case make its own report to relevant regulators.

## Schedule

### Procedure in Relation to Reports to be Addressed Under this Policy

#### 1. Initial Consideration and Appointment of Investigator

- 1.1 Where possible, Reports in accordance with this policy should be submitted through IPPF SafeReport. IPPF's Global Incident Reporting Unit will refer every relevant Report to the Secretary for consideration.
- 1.2 Once reported via IPPF SafeReport: <https://ippf.safereport.eu/web>, Reports are assessed by the Global Incident Reporting Unit and assigned to an Incident Coordinator in consultation with the Secretary. Conflicts will be considered when appointing the Incident Coordinator. IPPF may appoint a new Incident Coordinator at any stage.
- 1.3 If the Report is not one that is subject to this policy, or if the Secretary, in consultation with a Committee member, dismisses it immediately as unmeritorious, the reporter, unless anonymous, will be informed. The reporter will be given brief reasons and may be directed to another policy or process. No further action will be taken by IPPF to attempt to resolve the subject matter of the Report. There is no appeal from such decision.
- 1.4 Unless the Report is anonymous, the Incident Coordinator will normally engage with the reporter to discuss the Report and whether there is an opportunity to resolve it informally. Following such engagement, the Incident Coordinator will decide if an investigation is warranted. If the Incident Coordinator, in consultation with IPPF's Director of People, Organisation and Culture (or another appropriate member of IPPF's senior management team or Committee member) decides that an investigation is not warranted, they will dismiss the Report. The reporter will be given brief reasons and may be directed to another policy or process. No further action will be taken by IPPF to attempt to resolve the subject matter of the Report.
- 1.5 If the Report is made in any other way and is not anonymous, the Secretary shall acknowledge it and provide the complainant with a data privacy notice. The Secretary shall ensure that the Report is logged onto IPPF SafeReport for recording and reporting purposes.
- 1.6 Anyone deciding whether a Report is unmeritorious or that it should be dismissed at the initial stage for any reason shall act in good faith in accordance with the following principles:
- 1.7 Individuals submitting a Report may be aggrieved and frustrated so the focus must be on careful consideration of the merits of the case and not the attitude of the individual; and

1.8 Every Report must be considered on its own merits. Even if someone has submitted an unmeritorious Report in the past, it will not be assumed that any other Report they submit will also be frivolous or vexatious, although it may be a relevant factor when reaching a decision.

## 2. **Confidentiality**

2.1 If the reporter has requested anonymity, or that their information remain confidential, the investigator shall consider whether the matter can be fairly and properly investigated without that anonymity being compromised and while maintaining confidentiality. If the investigator considers that anonymity or confidentiality may be compromised, they shall inform the reporter and request the reporter's consent to share relevant information with relevant people.

2.2 If the reporter refuses to allow such details to be shared, the investigator may note that refusal as a cause of any limitations in the investigation.

## 3. **Conduct of Investigations**

3.1 The investigator shall conduct the investigation in accordance with their terms of reference supplied by the Incident Coordinator and otherwise as they think appropriate. They will normally make inquiries of those people within the organisation who are affected by or implicated in the matter, as well as others whom they consider may have relevant information, and shall:

- (a) Inform those people of the investigation and the reason for it; and
- (b) Provide them with a data privacy notice unless providing them with a privacy notice would prejudice the investigation (in which case data privacy notice shall be provided to them at the earliest opportunity once the risk of prejudicing the investigation has passed).

3.2 The Incident Coordinator and investigator may seek legal or other expert advice if required, with the prior approval of the Secretary.

## 4. **Co-operation with Investigation Process**

Members of the IPPF staff and volunteers (including members of the Board of Trustees and all Committee members) must co-operate with the investigation process and provide such information in relation to the investigation as may be requested of them.

## 5. **Consideration of Investigation Report by the Secretary**

5.1 If the matter has been referred to the Committee by the Director General, Board of Trustees or (acting together) the Chair and Vice-Chair of IPPF, the matter shall proceed to the panel consideration stage. For all other Reports,

the Incident Coordinator shall consider the investigator's report and decide whether to refer it to the panel consideration stage.

- 5.2 If the Incident Coordinator decides not to refer the Report to a panel of Committee members for consideration, they shall dismiss the Report. The reporter will be given brief reasons and may be directed to another policy or process. No further action will be taken by IPPF to attempt to resolve the subject matter of the Report. There is no appeal from such decision.

## 6. **Panel Consideration Stage**

- 6.1 If the matter is to proceed to the panel consideration stage, the Secretary shall select three Committee members to form a panel to consider the report and its findings and recommendations.
- 6.2 The panel shall receive the reporter's statement and the investigator's report and may request further information from any person.
- 6.3 The panel shall decide the process for considering the matter and may, but need not, conduct a hearing at which the reporter and any person permitted by the panel may address the panel in person. If a hearing is to take place, this may be conducted face to face or by electronic means.
- 6.4 The panel may request the Secretary to procure legal or other expert advice for the panel.

## 7. **Companions**

- 7.1 The panel may permit any person addressing it to be accompanied by a companion but no one shall be represented by legal counsel at any hearing of the panel or on any appeal.
- 7.2 The identity of any companion must be notified in advance to the Secretary, who may approve or decline their attendance. A companion may not be someone whose presence will prejudice the meeting or who might have a conflict of interest.
- 7.3 A companion may accompany and support an individual but not speak on their behalf unless, in exceptional circumstances, permitted to do so by the panel.
- 7.4 A companion who is an IPPF Secretariat employee is entitled to reasonable paid time off to familiarise themselves with the Report and to attend the meeting.

## 8. **Outcome Decisions by the Committee**



8.1 A Committee member or panel shall have the following powers in relation to Reports under this policy<sup>4</sup>:

- (a) To uphold or dismiss the subject matter of the Report;
- (b) To require an apology or explanation to be given by IPPF;
- (c) To recommend an award of compensation provided that IPPF may, before paying such compensation, require the reporter to enter into a compromise agreement settling all claims against IPPF in respect of the matters complained of;
- (d) To recommend mediation, where appropriate, and how that should be undertaken. In considering whether to recommend mediation, the relevant Committee member(s) shall have regard to the possible inappropriateness of mediation in cases where there are safety issues for the reporter and there is an imbalance of power between the reporter and the person against whom the Report is made, such as for example in Reports regarding gender violence;
- (e) To recommend the resignation of any IPPF volunteer (including a member of the Nominations and Governance Committee, Board of Trustees, the Legal Counsel, a member of the Finance, Audit and Risk Committee, Policy, Strategy and Investment Committee and Resource Allocation Technical Committee, and a member of any other committee set up by the Board of Trustees or the General Assembly);
- (f) To remove from office any volunteer (including a member of the Nominations and Governance Committee, Board of Trustees, the Legal Counsel, a member of the Finance, Audit and Risk Committee, Policy, Strategy and Investment Committee and Resource Allocation Technical Committee, and a member of any other committee set up by the Board of Trustees or the General Assembly);
- (g) Upon deciding on a person's removal from office under paragraph (f) above, to suspend that person from office until the completion of any appeal;
- (h) to recommend that any person be prohibited from serving as a volunteer on IPPF's Nominations and Governance Committee, Board of Trustees, Finance, Audit & Risk Committee, Policy, Strategy and Investment Committee and Resource Allocation Technical Committee and any other committee set up by the Board of Trustees or the

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<sup>4</sup> Note: where a Committee member or panel is taking a decision in accordance with IPPF's disciplinary or grievance policies and procedures, the Committee member or panel has the powers in the relevant policy or procedure, and the powers set out in this paragraph 8.1 do not apply.

General Assembly (whether as a member, officer or otherwise), for a period of up to ten years;

- (i) To recommend the making of a report to relevant regulators if such a report has not been made already;
  - (j) To recommend the implementation of changes within IPPF's policies, procedures and practices to ensure that similar situations do not arise.
- 8.2 Every outcome decision shall be accompanied by a statement of reasons.
- 8.3 The Secretary shall promptly notify the outcome decision to the IPPF Chair, the Director General and the subject of the Report.
- 8.4 The Secretary shall promptly inform the reporter (and may inform any other person directly affected by the matter) whether the subject matter of the Report has been upheld but otherwise the Secretary shall have complete discretion as to what information about the outcome decision is provided to them.

## 9. **Appeal of Decisions**

- 9.1 The reporter shall not be entitled to appeal an outcome decision.
- 9.2 IPPF and any other person who is the subject of an outcome decision may appeal the decision within 14 days of being sent details of the decision. The request for an appeal must be accompanied by a statement of reasons for the request. On receipt of the request for an appeal, the Secretary shall select another Committee member (not involved in the original decision) to consider the grounds and decide whether or not the appeal will be considered. If the appeal is to be considered, the Committee member taking that decision may consider the appeal or may appoint one or more members of the Committee (who have not been involved in the original decision) to consider the appeal. The decision whether or not to consider an appeal shall be final and not subject to appeal.
- 9.3 The Committee member deciding whether to permit an appeal and the Committee member(s) considering the appeal may require that any additional evidence relevant to the initial Report be investigated. Such investigation shall be conducted in accordance with paragraphs 2 to 45.2 of this schedule.
- 9.4 The Committee member(s) considering the appeal shall decide the process for considering the appeal and may, but need not, conduct a hearing at which the person making the appeal may address the Committee member(s) in person. Any such hearing may be conducted face to face or by electronic means.

- 9.5 The Committee member(s) considering the appeal) may request the Secretary to procure legal or other expert advice and the Secretary shall discuss any such request with the person within IPPF who is principally responsible for procuring such advice, provided that they do not have a conflict.
- 9.6 The Committee member(s) considering the appeal may permit any person attending a hearing to be accompanied by a companion (on the same basis as set out in paragraph 7 of this schedule) but no one shall be represented by legal counsel at any hearing of the appeal panel.
- 9.7 The Committee member(s) considering the appeal may:
- (a) Uphold or dismiss the appeal;
  - (b) Substitute their own decision for the decision of the first panel, exercising the same powers as the first panel;
  - (c) Remit the decision for reconsideration by the first panel.
- 9.8 The Secretary shall promptly notify the appeal outcome decision to the IPPF Chair, the Director General and the appellant.
- 9.9 The Secretary shall promptly inform the reporter (and may inform any other person directly affected by the matter) whether the appeal has been upheld but otherwise the Secretary shall have complete discretion as to what information about the appeal outcome decision is provided to them.
- 9.10 The appeal outcome decision shall be accompanied by a statement of reasons.
- 9.11 The appeal outcome decision shall be final and not subject to further appeal.

## 10. **Record Keeping**

The Secretary shall procure that a proper record of the Report is made in IPPF SafeReport. This includes investigation reports, interview transcripts, written evidence submitted, decisions made and statements of reasons.

## 11. **Implementation of Decisions by IPPF**

- 11.1 In the case of every outcome decision requiring action to be taken, IPPF shall, so far as it is able, procure the implementation of the decision within 30 days of the decision or of any decision of the appeal panel.
- 11.2 In the case of every recommendation of a panel or panel member, the Director General shall consider the recommendation and determine whether IPPF will accept and implement the recommendation.

- 11.3 In the case of every recommendation of a panel or panel member that a person be prohibited from serving as a volunteer (in any capacity) of the General Assembly, Nominations and Governance Committee, Board of Trustees, Finance, Audit & Risk Committee, Policy, Strategy and Investment Committee and Resource Allocation Technical Committee, and any other committee set up by the Board of Trustees or the General Assembly, the Secretary shall promptly notify the relevant governing bodies, committees and Member Associations.
- 11.4 The Secretary shall promptly notify the panel, the reporter and anyone who is the subject of a decision of the panel, of IPPF's decision whether or not to implement the panel's recommendations and shall provide IPPF's reasons.

12. **Standard of Proof**

Every person deciding on the subject matter of any Report or on any review of a decision shall decide every question of fact on the basis of the balance of probability.

13. **Relationship with Legal Proceedings**

If any person commences legal proceedings against IPPF or against any volunteer, trustee or member of staff of IPPF in respect of the subject matter of a Report, IPPF may discontinue this procedure in respect of the matter and the Committee shall discontinue this procedure on request from IPPF.

*As adopted by IPPF Governing Council, November 2018*

*Proposed for amendments by Board of Trustees, November 2023.*