

Wemos complaints mechanism

At Wemos, we aim to treat our stakeholders as well as possible. Nevertheless, if you have a complaint about the Wemos Foundation or one of its employees, please submit the complaint to our complaints desk.

What is a complaint?

A complaint refers to information indicating that a stakeholder of Wemos has experienced that something that has been said or done that has gone wrong or is wrong. Complaints relate to services provided by Wemos. They may concern the organization itself, fundraising, or the performance of tasks within the framework of Wemos' objectives.

For Wemos, complaints are a source of information concerning:

- the quality of Wemos' functioning;
- the image Wemos has in the outside world.

Every complaint is registered, analysed and dealt with diligently. Complaints can result in improvements within the organization, its policies, or the services and activities we carry out in pursuit of our organizational objectives. The aim is to avoid or reduce the number of complaints.

Who is this mechanism intended for?

This complaints mechanism is intended for external stakeholders. Arrangements concerning complaints within the organization are set out in Wemos' Code of Conduct and in the Wemos Whistleblower's Regulations.

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1. Definitions

The following definitions are used in this mechanism:

- 1.1 Complaint:** any expression of dissatisfaction about conduct, an action, or a failure to take action by the Wemos Foundation and/or one or more of its employees.
- 1.2 Complainant:** the person who lodges the complaint and/or their authorised representative.
- 1.3 Person involved:** the person whose conduct is the object of the complaint.
- 1.4 Director:** Wemos Foundation's Director.
- 1.5 Employee:** every person who, on the basis of employment or in another capacity (such as a volunteer, trainee or seconded employee) carries out activities for Wemos under the responsibility of the organization.
- 1.6 Netherlands Fundraising Regulator (CBF):** Netherlands Fundraising Regulator.
- 1.7 Wemos:** Wemos Foundation.

2. Right to complain and right to object

- 2.1** At Wemos, everyone has the right to lodge a complaint about the way Wemos has behaved towards them or towards someone else in a specific situation.
- 2.2** The conduct of a person or employee working under the responsibility of Wemos is considered a conduct by Wemos.

3. Lodging a complaint or objection

- 3.1** Written complaints and objections can be submitted to Wemos, P.O. Box 1693, 1000 BR Amsterdam-Duivendrecht, the Netherlands, or via integrityofficer@wemos.org.
- 3.2** The complaint shall contain at least:
 - (a) the name and address of the complainant;
 - (b) the date;
 - (c) a description, including the date, of the conduct against which the complaint is made;
 - (d) the name and position of the person(s) against whom the complaint is made.
- 3.3** If the complaint is written in a foreign language and a translation is needed for the satisfactory processing of the complaint, the complainant must provide a translation.

4. Procedure

- 4.1** If a written complaint concerns conduct towards the complainant and complies with the requirements of Article 3.2, Articles 4 through 12 shall apply.
- 4.2** Wemos shall confirm receipt of the complaint to the complainant in writing within two weeks. The confirmation of receipt shall in any case include the following information:
 - (a) the date on which the complaint was received;
 - (b) the period within which the complaint will be processed;
 - (c) the name and telephone number of the complaints handler;
 - (d) the procedure for hearing the parties (audi alteram partem);

(e) the opportunity to request a copy of the complaints mechanism or to access it via the internet.

- 4.3** A copy of the complaint and the documents attached to it shall be sent to the employee whose conduct the complaint concerns.
- 4.4** Complaints are handled by the supervisor of the department or employee to whom the complaint specifically relates. Complaints shall also be brought to the attention of the director.
- 4.5** The employee to whom the complaint relates has the right to access all information relevant to them, insofar as this does not cause harm to third parties.
- 4.6** The employee against whom a complaint has been made has the right to defend themselves.

5. Confidentiality and right to privacy

- 5.1** The privacy of those involved shall be protected as much as possible.
- 5.2** Everyone who is involved in the handling of complaints and who, in doing so, has access to information of which they are aware of the confidential nature, or should reasonably suspect that it is confidential, is obliged to keep this information confidential, except and to the extent that disclosure is required by law or that disclosure is necessary for the performance of their duties under this complaints mechanism.

6. Amicable settlement

- 6.1** Wemos may assess whether the complaint can be settled amicably at any stage of the complaint-handling process.
- 6.2** As soon as Wemos has resolved the complaint to the satisfaction of the complainant, the obligation to continue applying this mechanism shall lapse.
- 6.3** If Wemos has responded satisfactorily to the complaint, written notification that the complaints procedure has been closed shall be sent to the complainant, with a copy to the person involved.

7. Complaints that do not need to be handled

- 7.1** Wemos is not obliged to handle the complaint if:
 - (a) a complaint has already been submitted and settled in accordance with this complaints mechanism;
 - (b) the same complaint from the complainant is already being handled by Wemos;
 - (c) the conduct took place more than one year before the complaint was submitted;
 - (d) the complaint does not comply with the description set out in Article 3.3 of this mechanism;
 - (e) the complaint has been made anonymously.
- 7.2** The complainant shall be informed in writing that the complaint will not be handled as soon as possible, but no later than four weeks after receipt of the complaint.

8. Hearing of the complainant and the person involved

- 8.1** Wemos shall give the complainant and the person whose conduct the complaint relates to the opportunity to be heard.

- 8.2** The hearing of the complainant and the person involved, respectively, may be waived if:
- (a) the complaint is manifestly unfounded;
 - (b) the complainant or the person involved, respectively, has declared that they do not wish to make use of the right to be heard;
 - (c) the complainant or the person involved, respectively, does not declare that they wish to make use of the right to be heard within the reasonable period stipulated by Wemos.
- 8.3** Wemos shall prepare a report of the hearing. This report shall be sent to the complainant, the person involved and the director of Wemos. If the complaint concerns the conduct of the director, a copy of this report shall be sent to Wemos' supervisory board.
- 8.4** A copy of this report shall be included in Wemos' complaints register.

9. Right of access

- 9.1** Both the complainant and the person involved shall be given the opportunity to access all documents relating to the complaint. Documents that are submitted on the condition that the other party may not have access to them shall not be considered and shall not play a part in the final decision.

10. Representation

- 10.1** Both the complainant and the person who is the object of the complaint have the right to be represented, at their own expense, by a person designated by them.
- 10.2** If it becomes clear that the complaint is manifestly unfounded, the right to representation for the complainant and the person involved may be waived.
- 10.3** The complainant and the person involved have the right not to make use of the right to representation.

11. Suspension of the procedure

- 11.1** The complainant may withdraw their complaint up to the time of the decision. The complainant may withdraw the complaint by notifying Wemos in writing that they no longer wish Wemos to continue handling the complaint.
- 11.2** The withdrawal shall be confirmed in writing to the complainant.
- 11.3** In the event of withdrawal of a complaint, all documents relating to the complaint shall be destroyed, with the exception of the procedural report.
- 11.4** In the event of an urgent reason, Wemos may decide to suspend the complaints procedure. An urgent reason may be, for instance, that the complainant is aggressive towards employees or seriously misbehaves in other ways, as a result of which Wemos cannot reasonably be expected to continue the complaints procedure. In this case, the complainant shall be informed in writing of the suspension of the complaints procedure and the reason for it.

12. Settlement period

- 12.1** Wemos strives to handle the complaint within six weeks after receipt of the complaint.
- 12.2** If the complaint cannot be handled within six weeks, the complainant shall receive a written notification within one week stating the reason for the delay and providing information about the further procedure.

13. Decision

- 13.1** Wemos shall inform the complainant and the person whose conduct the complaint relates to, in writing and with reasons, of the findings of the investigation into the complaint, the decision on the complaint, and any conclusions Wemos draws from this. The notification shall be signed (or co-signed) by the director.
- 13.2** If the complaint concerns the director's conduct, the notification shall be made in writing and with reasons by Wemos' supervisory board. If the complaint concerns the conduct of a member of the supervisory board, the notification shall be drawn up and signed by the other members of the supervisory board.

14. External means of appeal

- 14.1** If the complaint or objection is not handled satisfactorily by Wemos, the complainant may submit a complaint in writing to the Netherlands Fundraising Regulator (www.cbf.nl). This complaint shall then be handled in accordance with the CBF complaints procedure.

15. Registration and publication of complaints

- 15.1** Wemos is responsible for registering complaints submitted in writing in its complaints register.
- 15.2** The complaints register complies with the relevant legislation and regulations, such as the General Data Protection Regulation (GDPR).
- 15.3** The complaints registered are published annually in the annual report. This shall in any case include the number and nature of the complaints handled, and the scope of the decisions and recommendations made. The annual report shall not contain information that can be traced to individual persons.

16. Final provisions

- 16.1** This mechanism may be amended or revoked by Wemos. Complaints that have already been submitted shall be governed by the complaints mechanism in force on the date of submission.
- 16.2** This mechanism shall enter into force on 1 January 2020 and shall be published on Wemos' website (www.wemos.org)
- 16.3** The Wemos Complaints Mechanism dated 1 September 2009 shall be withdrawn.