WWF-Malaysia Project Complaints Resolution Process

Complaints Resolution Mechanism Policy and Procedures

1. Background

The World Wide Fund for Nature (WWF) is committed to ensure that the communities with whom we work benefit from – and are not inadvertently harmed by – our conservation actions or those of our implementing partners. To hold ourselves accountable to our social commitments, WWF globally has launched the Network Project Complaints Resolution Process, under which a Complaints Resolution Mechanism is established in each WWF Office around the world. Addressing complaints in a timely and effective way helps resolve conflicts, improves mutual understanding, strengthens accountability and provides a foundation for increased collaboration.

2. Scope

2.1. Definition: What is a Complaints Resolution Mechanism?

A Complaints Resolution Mechanism (CRM) is a formal channel to receive and respond to concerns raised by stakeholders who may be affected by WWF-Malaysia-supported conservation activities as a key means to strengthen implementation of WWF’s Social Policies and Safeguards (defined below). This gives communities a way to air grievances of harm to their human and indigenous rights, economic well-being and gender treatment, as a result of WWF-Malaysia’s actions or omissions. Resolution of a grievance is based on dialogue, cooperation, and mutual agreement.

WWF’s Network Social Safeguards and Policies¹:
- Conservation and Human Rights Framework (2009)
- WWF Gender Policy (2011)
- Other relevant WWF policies and safeguards developed and communicated to the WWF Network

This policy should also consider other social safeguards developed within the Malaysian context, which serve as tools and guidance to prevent conflict among communities and stakeholders:
- Conflict Resolution Guidelines for Sustainable Forest Management, 2010

2.2. Eligibility: Who can make a complaint?

Any community or group (at least two or more people) that believes it is or may be negatively affected by a failure on the part of WWF to follow its Network Social Policies and Safeguards in the design or implementation of a WWF-Malaysia project activity is considered an “Affected Party”. Any Affected Party may file a complaint. Representatives filing a complaint on behalf of an Affected Party must provide concrete evidence of authority to represent them.

¹ WWF Social Policies and Safeguards can be found at: (http://wwf.panda.org/what_we_do/how_we_work/people_and_conservation/wwf_social_policies/)
2.3. Criteria: What kind of complaints can be accepted?

A complaint is in the scope of the CRM if it refers to a suspected or perceived negative impact on a community or its members due to a failure on the part of WWF-Malaysia, or its funded partners, to respect its social commitments. These in particular relate to the rights of Indigenous Peoples, human rights, gender equity and representation, and poverty alleviation. This includes the right of a community to be adequately and properly informed and engaged in any project decisions that may affect them, a process known as Free, Prior and Informed Consent (FPIC).

A complaint is not in the scope of the CRM if it relates to action(s) for which WWF-Malaysia is not responsible, or is outside of WWF-Malaysia’s sphere of influence or control. While this can be referred to the relevant agencies or authorities, WWF-Malaysia is not accountable for how the other institutions handle complaints. This could include, but not limited to, the following:

- A contractual or legal dispute
- An issue concerning criminal or illegal activities
- An issue relating to the work of other organisations

Because the CRM is oriented towards direct dialogue and engagement among all parties, anonymous complaints will not be considered. Complainants can however, request for confidentiality. Due to the diversity of local and indigenous communities with WWF-Malaysia works with, complaints can be submitted in any language that is preferred by the complainant.

3. Principles

3.1. Fair review of facts: As a principle WWF-Malaysia is committed to addressing complaints made in good faith and therefore some form of response to the complainant is important. WWF-Malaysia will conduct a fair review of facts if a grievance made in good faith (and not with malicious intent) is raised, but it may be addressed in another way outside of the CRM.

3.2. Non-retaliation: WWF-Malaysia strongly disapproves of and will not tolerate any form of retaliation against those who report concerns in good faith. Any WWF-Malaysia employee who engages in such retaliation will be subject to disciplinary procedure up to and including termination. WWF-Malaysia will take all feasible actions to protect reporters against retaliation. Anyone who has made a report of suspicious conduct of a WWF-Malaysia employee and who subsequently believes he or she has been subjected to retaliation of any kind by should immediately report it by the same channels as noted herein.

3.3. Confidentiality: Confidentiality helps to ensure safety and protection for those making and those affected by a complaint. Where there is a risk that full confidentiality may limit efforts to resolve complaints, complainants will be informed if this is impeding the process and consulted on the next steps. All efforts will be made to ensure that only parties involved in an investigation and resolution has access to relevant information. Complaints of a sensitive nature (e.g. sexual harassment, fraud and corruption) will be directed to the appropriate channel and treated with the utmost confidentiality.

3.4. Accessibility: It is essential that local and indigenous communities, especially those in remote or inaccessible locations, can access the CRM. WWF-Malaysia is committed to monitoring, reviewing and adapting mechanisms where relevant to ease communications and ensure that all groups within a targeted community are able to speak out should they need to do so.

4. Complaint Filing Process

4.1. Complaints can be sent through the following channels:

- WWF-Malaysia email address: my.projectcomplaint@wwf.org.my
- WWF-Malaysia postal address: WWF-Malaysia, 1 Jalan PJS 5/28A, Petaling Jaya Commercial Centre, Petaling Jaya, 46150 Selangor, Malaysia
- WWF International email address: ProjectComplaint@wwf.int
- WWF International postal address: Project Complaints, Director General Office, WWF International, Avenue Mont-Blanc 27, 1196 Gland, Switzerland
4.2. All complaints should include the information below (insufficient information may impact on how effectively the complaint can dealt with):
   ● Complainant’s name and contact information
   ● If not filed directly by the complainant, proof that those representing the Affected Party have authority to do so
   ● The specific project or program of concern including location
   ● The harm that is or may be resulting from it
   ● Any other relevant information or documents (e.g. date of event, parties involved, etc)
   ● Any actions taken so far to resolve the problem, including contact with WWF-Malaysia
   ● Any proposed solutions
   ● Whether confidentiality is requested (stating reasons)

5. Complaint Review Process

5.1. Receipt and recording: Upon receipt of a complaint, the Complaints Focal Point will record it into a complaints log.

5.2. Categorisation and acknowledgement: The Complaints Focal Point determines – within 10 business days – whether or not a complaint received is valid and falls under the scope of the CRM (with advice from policy focal points and legal counsel as needed). If not valid, the Complaints Focal Point informs the complainant, stating the reasons, and guides the complainant to a suitable alternative course of action. If valid, the Complaints Focal Point notifies the complainant, the Response Team, the concerned WWF programme, and relevant Senior Management Team (SMT) members (only if the complaint is of a serious nature).

5.3. Initial review: The concerned programme provides a response to the Complaints Focal Point, with the proposed investigation plan and a timeframe for this process, including a contact person, within 10 business days. Support for this process can be requested from policy focal points and other technical experts as needed.

5.4. Investigation: The Complaints Focal Point in coordination with the concerned programme and Response Team will agree on the investigation plan, including identifying a person or committee to investigate the complaint (the “Investigator”) through review of the issues raised, meetings / dialogue with concerned parties, consultation with relevant technical advisors, and other actions as appropriate.

5.5. Communication: The Complaints Focal Point / concerned programme communicates next steps to the Affected Party.

5.6. Action plan: The Investigator will provide the Complaints Focal Point, concerned programme and Response Team with a response and outline of recommended actions needed to resolve the issues, along with a timeframe for them.

5.7. Appeals: If unresolved issues remain, or if problems arise with implementation of the agreed resolution, the Response Team identifies appropriate (internal or external) support to further clarify and assess the issues, and work with the concerned parties to develop an agreement on how to resolve them. This process may involve field visits, joint fact-finding, third-party investigation and recommendation, external Ombudsperson, direct dialogue and negotiation, broader stakeholder dialogues and other actions as needed.

5.8. Final report and review: The concerned programme, in coordination with the Investigator and Complaints Focal Point will develop a summary of the concerns raised, actions taken, conclusions reached and recommendations, follow up plan and timeframe for completion. SMT, in coordination with the Response Team, determines whether the investigation is completed to WWF-Malaysia’s satisfaction.

5.9. Close: The Complaints Focal Point / concerned programme communicates the summary to the Affected Party.