

## SAFEGUARDING AT SEARRP

# GENERAL COMPLAINTS AND INVESTIGATION PROCEDURE

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We regularly update our safeguarding framework, policies and guidelines. Please enquire for the latest versions of all documents.

If you would like to discuss any aspect of our safeguarding framework please contact SEARRP's Safeguarding Officer – Dr Agnes Agama: [agnesagama@searrp.org](mailto:agnesagama@searrp.org)

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## GENERAL COMPLAINTS AND INVESTIGATION PROCEDURE

### COMMITMENT TO SAFEGUARDING

SEARRP is committed to creating and maintaining a safeguarded environment for the people, partners and associates who work with us, including any children or vulnerable adults with whom we may engage. We actively promote a safe, caring, tolerant and rewarding environment for all of our staff and scientists, students, interns and volunteers - including those of partner organisations who work and visit with our programme.

This *General Complaints and Investigation Procedure* forms an essential component of our safeguarding framework, which includes a *Sexual Harassment Policy*, *Whistle-blower Policy*<sup>1</sup>, *Employee Code of Conduct* and *Cultural Guidance* for visiting scientists and students. These policies and procedures are intended to ensure that everyone is treated professionally and respectfully, in line with our duty-of-care to protect the safety and welfare of our staff and the people with whom we engage.

### SCOPE OF THIS PROCEDURE

This document outlines SEARRP's general procedure for receiving and processing complaints and a procedure for conducting an internal investigation into reported complaints.

**All reports that are related to sexual harassment are to be handled under the stand-alone sexual harassment complaints and investigation procedure outlined in SEARRP's *Sexual Harassment Policy*.**

"**Employees**" refers to all SEARRP employees irrespective of employment status (i.e. includes full-time, part-time and daily-paid).

"**Associates**" refers to all "scientists, students, non-SEARRP research assistants, interns, volunteers, consultants and representatives, including Trustees and members of boards (in the UK and Malaysia) and advisors" engaged with SEARRP.

## 1. GENERAL COMPLAINTS PROCEDURE

- 1.1. Any person may raise concerns and/or report misconduct related to SEARRP using the general complaints procedure outlined herein.
- 1.2. All reports shall be treated as having been made in good faith.
- 1.3. SEARRP prohibits any retaliation towards any person who raises concerns or reports misconduct related to SEARRP.

### Unlawful conduct reported to the authorities

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<sup>1</sup> In development

- 1.4. In the event that unlawful or suspected unlawful conduct has been reported to the relevant authorities, SEARRP shall fully cooperate with any actions taken by the authorities.

### **Making a complaint**

- 1.5. Any person may submit a complaint to any SEARRP Field Manager, to the SEARRP Operations Manager based at the KK Office or to the SEARRP Director or Co-Director.
- 1.6. The complainant is required to download the complaint form from the SEARRP website Safeguarding page ([searrp.org/safeguarding/](http://searrp.org/safeguarding/)) and submit the completed form to [report@searrp.org](mailto:report@searrp.org).
- 1.7. In exigent circumstances, complaints may be submitted via phone call, text messaging or other means deemed expedient given the circumstances at the time. In this situation, the responsible personnel shall make copies of all communications (e.g. audio recording, transcripts, text messages, screen-shots, photos, etc.) and process the complaint duly and in a timely fashion. At the next convenient juncture, the Operations Manager (or Director/Co-Director) shall require the complainant to complete and submit a complaint form as formal documentation of the complaint either by email or in hard copy.

### **Receiving a complaint**

- 1.8. The Field Manager shall, within 24 hours of receiving the complaint at the field-level, record the complaint in the case log and report the complaint to the Operations Manager with copy to the SEARRP Director and Co-Director.
- 1.9. The SEARRP Director and Co-Director, in consultation with the Operations Manager shall, within 72 hours and based on the merits of the complaint, determine whether to initiate an internal investigation.
  - a) An internal investigation shall be conducted according to the procedure outlined in Section 2.
  - b) If no internal investigation is instructed, the Operations Manager shall prepare the case report for submission to the SEARRP Director and Co-Director.
- 1.10. The SEARRP Director or Co-Director may, at their discretion, instruct the temporary relocation or separation of the people involved in the complaint with immediate effect and until the outcome of the case is determined.
- 1.11. Reported complaints will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and case management, including any ensuing actions.
- 1.12. In complaints involving associates or parties external to SEARRP, the SEARRP Director and Co-Director may, at their discretion at any stage in case management, determine to engage with the respective institutional authority of the external party/ies.

## Responsible personnel

- 1.13. The SEARRP Field Manager shall be responsible for administrating the complaints procedure at the field-level. The responsibilities of the Field Manager include:
- Receive and record all complaints in a case log;
  - Report all complaints to the Operations Manager within 24 hours of receiving the complaint;
  - Provide support to the internal investigation;
  - Prepare the case log for submission to the Operations Manager.
- 1.14. The SEARRP Operations Manager based in the KK Office shall be responsible for administrating the complaints procedure at the organisation-level. The responsibilities of the Operations Manager include:
- In the event a complaint is received directly in the KK Office, appoint a Field Manager to administer the case at the field-level;
  - Ensure that the SEARRP Director and Co-Director, and where appropriate the Chair of the SEARRP UK Board and Chair of the Rainforest Research Board, are fully briefed on the complaint and subsequent case management;
  - Liaise with the complainant in a timely fashion and ensure that the complainant is informed and consulted as appropriate;
  - Provide secretariat support to the internal investigation, including engaging independent third-party experts, where appropriate;
  - Prepare the case report for submission to the SEARRP Director and Co-Director, or the Chair of the SEARRP UK Board and the Chair of the Rainforest Research Board in the event of their direct involvement.

## Conflict of interest

- 1.15. In the event of a complaint or conflict of interest implicating either the Field Manager or Operations Manager, the SEARRP Director and Co-Director shall assign alternative personnel, including from independent third parties where appropriate, to administer the case.
- 1.16. In the event of a complaint involving the SEARRP Director or Co-Director, the Chair of the SEARRP UK Board of Trustees, in consultation with the Chair of the Board of Directors of Rainforest Research Sdn Bhd, shall take direct responsibility for the complaint and subsequent case management. The Chair of the SEARRP UK Board of Trustees shall assign alternative personnel, including from independent third parties where appropriate, to assume the relevant roles in administering the case.

## 2. INTERNAL INVESTIGATION PROCEDURE

- 2.1. SEARRP is committed to ensuring a transparent, timely and fair internal investigation into any reported complaints.
- 2.2. Subject to Section 1.15 the SEARRP Operations Manager shall be responsible for administering the internal investigation procedure and may appoint other personnel, as appropriate, to assist.

- 2.3. Based on the merits of the case, the SEARRP Director and Co-Director may determine to appoint an independent third-party to lead or assist with the investigation.

### **Conduct of the internal investigation**

- 2.4. The internal investigation shall conduct activities that include but are not limited to:
- Conduct interviews with the parties involved;
  - Conduct interviews with witnesses and/or other parties possessing relevant information to the case;
  - Collect documentary evidence (e.g. testimonials, photos, emails, social media posts, etc.) relevant to the case; and
  - Examination of the site(s) where the incident took place.
- 2.5. The investigation shall be completed no later than 14 days from the receipt of the complaint except in the event of extenuating circumstances, in which case the investigation shall be completed within 21 days.

### **3. DISCIPLINARY ACTIONS AND CORRECTIVE MEASURES**

- 3.1. The SEARRP Director, in consultation with the Co-Director, shall be responsible for determining the next course of action based on the outcome of the investigation and case report. This includes determining to report the case to the Chair of the SEARRP UK Board, Chair of the Rainforest Research Board or other authority as appropriate.
- 3.2. SEARRP shall take disciplinary action against any employee or associate who, upon investigation, is found in violation of SEARRP's policies and guidelines, including and up to termination of their employment or, in the case of associates, engagement with SEARRP.
- 3.3. In cases involving associates or parties external to SEARRP, the SEARRP Director and Co-Director may, at their discretion, determine to engage with the respective institutional authority of the external party/ies.
- 3.4. At the discretion of the Director and Co-Director, SEARRP retains the right to seek legal recourse against any person found in violation of SEARRP's policies and guidelines and may refer such cases to the relevant authorities for action through legal, disciplinary or other appropriate measures.
- 3.5. The SEARRP Director or Co-Director shall inform the complainant of the outcome of the investigation and advise on actions or next steps, if any.

### **No-retaliation approach**

- 3.6. SEARRP prohibits any retaliation towards any person who raises concerns or reports misconduct. The "no-retaliation approach" means ensuring that such person(s) shall not suffer intimidation, harassment, discrimination, abuse or other form of retaliation, or in the case of employees any form of adverse employment consequences, that may arise as a direct or indirect consequence of having made a complaint.

- 3.7. The SEARRP Director shall, in consultation with the Co-Director and upon investigation, impose disciplinary actions against any employee or associate who retaliates or threatens retaliation against any person who has raised concerns or reported misconduct.

#### **Acting in good faith**

- 3.8. All reports shall be treated as having been made in good faith. This means that the complainant has reasonable grounds for believing that the information disclosed is true and is perceived by the complainant as harmful or in violation of SEARRP' polices and guidelines or illegal.
- 3.9. Any person who has made allegations that are found to be knowingly false, made maliciously or with vexatious intent shall be subject to disciplinary action, up to and including termination of employment or engagement with SEARRP.
- 3.10. SEARRP retains the right to seek legal recourse against cases of malicious or vexatious behaviour and may refer such cases to the relevant authorities for action through legal, disciplinary or other appropriate measures.

#### **4. APPEALS**

- 4.1. Any person who wishes to contest the handling and/or outcome of an internal investigation may submit an appeal to the Chair of the SEARRP UK Board within 7 days of being informed of the outcome.
- 4.2. Appeals are to be submitted in writing to the Chair of the SEARRP UK Board with copy to the Chair of the Rainforest Research Board, SEARRP Director and Co-Director.
- 4.3. The SEARRP Director and Co-Director shall ensure full disclosure of all information pertaining to the case to the Chair of the SEARRP UK Board and Chair of the Rainforest Research Board.
- 4.4. The Chair of the SEARRP Board shall, in consultation with the Chair of the Rainforest Research Board and based on the merits of the appeal, initiate an inquiry by appointing an Inquiry Panel from amongst the SEARRP UK Board and, where appropriate, from an independent third-party.
- 4.5. The Inquiry Panel shall complete the inquiry within 14 days of the receipt of the appeal with the submission of a case report to the Chair of the SEARRP UK Board with copy to the Chair of the Rainforest Research Board.
- 4.6. Upon conclusion of the inquiry, the Chair of the SEARRP UK Board shall, in consultation with the Chair of the Rainforest Research Board, inform the appellant of the outcome in writing and advise on next steps, if any.

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