



SCOUTS
Creating a Better World



Complaints Policy

World Organization of the Scout Movement



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1. INTRODUCTION

- 1.1. This Complaints Policy (Policy) outlines the process to be used when dealing with a complaint related to the actions of Member Organizations (MO), WOSM volunteers, or World Scout Bureau (WSB) employees, involving issues or activities associated with WOSM at the World, Regional, or Zonal level, or in a Member Organization when the WOSM volunteer or WSB employee was deployed to the MO by WOSM for a project or activity.
- 1.2. This Policy specifically does not cover:
 - 1.2.1. Activities or actions of individual members of MOs that are specific to, or occur in those MOs. Such MO-specific complaints should be directed to the MO concerned
 - 1.2.2. Internal WSB grievances, complaints, and disciplinary issues raised by WSB employees against other employees as they are covered in the World Scout Bureau Employee Handbook

2. DEFINITIONS

- 2.1. Complaint: means a grievance against or dispute with or between individuals or MOs and WOSM at the World, Regional, or Zonal level raised by an individual member of an MO, an MO, or a WOSM volunteer.
- 2.2. Member Organization: means any National Scout Organization (NSO) that is a member of WOSM, including their constituent Associations.
- 2.3. Vexatious complaint: means any complaint that meets one or more of the following criteria:
 - 2.3.1. Persists in pursuing a complaint where the procedure for handling complaints has been fully and properly implemented and exhausted
 - 2.3.2. Repeated unwillingness to accept documented evidence given as being factual, denying receipt of an adequate response, in spite of correspondence answering their complaint, or not accepting facts that have verified to the extent reasonably possible
 - 2.3.3. Regular and continuous focus on a trivial matter to an extent which is out of proportion to its significance
 - 2.3.4. Persistently raises new issues or seeks to prolong contact by raising further concerns or questions whilst the complaint is being addressed. This specifically excludes new issues which are significantly different to the original complaint and must be addressed.
 - 2.3.5. Unreasonable complaints or demands which impose a burden on WOSM in terms of required resources which is out of proportion to the seriousness of the allegation or complaint, and where the complaint clearly is designed to disrupt or annoy, or has the effect of harassing another person or can otherwise be characterised as obsessive or manifestly unreasonable
 - 2.3.6. Are repetitive complaints and allegations which ignore the actions and responses previously supplied

3. THE PURPOSE OF THIS POLICY

To ensure that a complaint is addressed in a fair, transparent, and just manner, as well as to provide WOSM an opportunity to learn and improve its operations and performance through critical review of feedback

3.1. The purpose of this Policy is:

- 3.1.1. To provide a complaints procedure, to be implemented by WOSM which is fair, clear, and easy to use for anyone wishing to make a complaint
- 3.1.2. To ensure all complaints are investigated fairly and in a timely manner
- 3.1.3. To ensure that complaints are, wherever possible, resolved amicably
- 3.1.4. To gather information which helps WOSM to improve its performance and practices, both in respect of the overall governance practices of WOSM and more specifically in the application of the Code of Conduct
- 3.1.5. To ensure the confidentiality of the process of handling complaints to protect both the complainant and the respondent during the process

4. ACTIONS TO SUPPORT IMPLEMENTATION

- 4.1. For a full implementation of this Policy, the WSB will:
 - 4.1.1. Translate the Policy in all five WOSM working languages
 - 4.1.2. Publicise the existence of this complaints procedure
 - 4.1.3. Make sure all WSB employees and WOSM volunteers engaged in activities for and on behalf of WOSM are aware of the process to submit a complaint
 - 4.1.4. In case of a complaint received:
 - 4.1.4.1. Assign two individuals to receive and handle communications between the Ethics Committee, the complainant, and the respondent
 - 4.1.4.2. Notify the Secretary General, Chairperson of the WSC ,and the Chairperson of the Ethics Committee of any complaints received and of the conclusion of such complaints
 - 4.1.5. Support the efforts of the Ethics Committee

5. CONFIDENTIALITY

- 5.1. All complaint information will be handled sensitively and confidentially, providing information to the relevant parties only and in accordance with any relevant data protection requirements and legal requirements in respect of the subject of the complaint.
- 5.2. Anonymous complaints will not be accepted by the Ethics Committee.
- 5.3. At the discretion of the Ethics Committee, the identity of the complainant may be withheld from the respondent. This option may only be exercised where withholding the information does not undermine the respondent's ability to address the complaint. It is understood that if the case is referred to the authorities, then the matter of withholding the identity of the complainant may not be an option.

6. RESPONSIBILITY

- 6.1. Overall responsibility for this Policy and its implementation lie with the Secretary General.
- 6.2. Two WSB employees are designated by the Secretary General to receive complaints. They are responsible for notifying the Secretary General, the Chairperson of the WSC, and the Chairperson of the Ethics Committee of all complaints received and for handling the communication between the Ethics Committee, the complainant, and the respondent.
- 6.3. The Ethics Committee is responsible for the actions, in accordance with this Policy, after a complaint is received.

7. EFFECTIVENESS AND APPLICABILITY

- 7.1. This Policy is reviewed at a minimum of once every three years and updated as required. It is effective as of the adopted date of 15 September 2020.
- 7.2. Last reviewed: 18 May 2020
- 7.3. This Policy shall apply to complaints submitted on or after the adopted date in Article 7.1.

8. PRINCIPLES OF COMPLAINTS POLICY

- 8.1. All complaints must be taken seriously, managed expeditiously, dealt with in a timely manner, and promote the maintenance of relationships.
- 8.2. The process of complaint handling should be robust and safeguard against the ability of any individual to manipulate the outcome of a complaint.
- 8.3. For a complaint to be considered, it must:
 - 8.3.1. be submitted in writing
 - 8.3.2. fall within the scope of this Policy
 - 8.3.3. identify the complainant and provide contact information
 - 8.3.4. provide the basis for the complaint and whatever available evidence
- 8.4. WOSM reserves the right to follow up on any breaches to the Code of Conduct at any time, and the decision will be left up to the Ethics Committee.
- 8.5. To prevent a single point of failure, the receipt of complaints will be monitored by two WSB employees who will in return report all complaints received to the Secretary General, the Chairperson of the WSC, and the Chairperson of the Ethics Committee.
- 8.6. The Ethics Committee in processing the complaint:
 - 8.6.1. must provide all parties involved the opportunity to present their views clearly to ensure all facts are clear and understood
 - 8.6.2. must consider all facts and points of view
 - 8.6.3. may, within the constraints of confidentiality, seek the advice of other experts or consultants
 - 8.6.4. should seek a solution that provides a right to a fair hearing, is aligned with Scouting ethics, and is acceptable for both parties

- 8.6.5. must record the factors on which they have based their recommendation
- 8.6.6. should investigate and conclude the process as expeditiously as reasonably possible.
- 8.6.7. should, with the support of the WSB processes, ensure that the complaint process is handled in a WOSM working language acceptable to that particular complainant or respondent
- 8.7. The process allows for a single appeal on any recommendation arising from a complaint by either the respondent or complainant, and the decision after the appeal process, as approved by the WSC, will be final.
- 8.8. Where complaints are identified as vexatious, the Secretary General may refer the matter of the vexatious complaint to the Ethics Committee as a complaint for action to be taken as detailed below.
- 8.9. If the complaint is considered by the WSB to involve a crime, the complainant must be advised and encouraged to report the matter to the relevant authorities in the jurisdiction of the crime at any time. The WSB will only report the crime directly if, in the considered opinion of the Ethics Committee, in consultation with the WSB's legal counsel, there is sufficient evidence to substantiate the allegation.
- 8.10. If the complaint involves a WSB employee as a respondent, the process is governed by the World Scout Bureau Employee Handbook. Once the decision is ratified by the Secretary General, the decision will be implemented by the Secretary General via the appropriate internal processes, in accordance with the relevant labour legislation.

9. PROCESS OF COMPLAINT HANDLING

9.1. Complaints should be submitted to the Ethics Committee, either:

9.1.1. via email to complaints@scout.org, or

9.1.2. via post or by hand to World Scout Bureau,
Rue Henri-Christiné 5, P.O. Box 91,
1205 Genève, Switzerland

9.2. On receipt of a complaint:

9.2.1. The two WSB employees log the complaint, and email the Secretary General, the WSC Chairperson, and the Chairperson of the Ethics Committee to advise them of a complaint having been received against the respondent. If the respondent to the complaint is one of these three individuals, that individual will be excluded from the distribution list for that specific complaint and only be notified as the respondent in accordance with the process below.

9.2.2. If a complaint relates to a WSC member or the Secretary General, the matter will immediately be referred to the Ethics Committee. If a complaint is against a WSB employee, the procedure in the World Scout Bureau Employee Handbook applies.

9.2.3. The two WSB employees receiving complaints will ensure that the complaint complies with the requirements of Article 8.3.

9.2.4. If the complaint meets those criteria, then:

9.2.4.1. The complaint and supporting information are forwarded to the Chairperson of the Ethics Committee, unless the complaint relates to the Chairperson of Ethics Committee, in which case the complaint will be forwarded to the Secretary General who will, for the processing of that complaint as an ex-officio, non-voting member of the Ethics Committee, fulfil the role of the Chairperson of the Ethics Committee for all subsequent actions.

9.2.4.2. The complainant is notified by the WSB that the complaint has been accepted and is being processed by the Ethics Committee. The process then continues with the Ethics Committee.

9.2.5. If the complaint does not meet those criteria, then:

9.2.5.1. The WSB notifies the complainant that complaint does not meet the requirements of the Policy and requests complainant to either: motivate why it should be considered under the criteria, or provide supporting information to allow the Ethics Committee to act on the complaint. If, on receipt of the motivation or additional information, the WSB employees agree that the complaint meets the criteria then the process follows from Section 9.2.4

9.2.5.2. If, after being referred back to the complainant, and in consultation with the Chairperson of the Ethics Committee, it is agreed that insufficient information is provided to justify the complaint meeting the criteria of Article 8.3, the WSB will notify the complainant that the complaint does not meet the requirements of the Policy and the process ends.

9.2.6. If the complaint relates to a WOSM Team member who is also an active member in a MO, once the complaint is accepted as valid under this Policy, the WSB, depending on the nature of the matter and balancing between confidentiality and transparency, may at its discretion inform the relevant MO that a complaint has been received in respect of that member.

9.3. Processing of a Complaint

- 9.3.1. On receipt of a complaint from the WSB, the Chairperson of the Ethics Committee will:
 - 9.3.1.1. Allocate the complaint to a subcommittee of the Ethics Committee
 - 9.3.1.2. Form the subcommittee from three of the Ethics Committee members, having considered the skills required to investigate and process the complaint
 - 9.3.1.3. Confirm that there is no conflict of interest in respect of the complaint with any of the subcommittee members to whom it is allocated
 - 9.3.1.4. Where necessary to address the complaint, request support from the WSB either directly or to involve experts or consultants with specialised skills not present in the Ethics Committee
- 9.3.2. If the matter is deemed by the Ethics Committee to be such that the continued involvement of the respondent constitutes a safety or reputational risk to either WOSM or the members thereof, the Ethics Committee may:
 - 9.3.2.1. Make a recommendation to the Secretary General for suspension of the respondent in respect of any WOSM activity while the matter is investigated.
 - 9.3.2.2. If the respondent is an active members of an MO, and with the consent of the Secretary General, the recommendation of suspension and details of the complaint may be issued to an appropriate contact in the relevant MO.
 - 9.3.2.3. If the respondent is a WOSM employee, the recommendation for suspension will be passed to the Secretary General for action under the relevant internal processes.

- 9.3.3. Within five working days of the formation of the subcommittee, the Ethics Committee's subcommittee to whom the complaint is allocated will, via the WSB :
 - 9.3.3.1. Complete a complaint document that details the alleged breaches and the times and places of the alleged breaches of the WOSM Code of Conduct;
 - 9.3.3.2. Share the complaint document with the complainant and provide 5 days or such reasonable extension of not more than 14 days reasonable time for the complainant to review and accept the pertinent information before the complaint document is issued to the respondent; and
 - 9.3.3.3. notify the complainant and respondent of a proposed timeline for actions on the complaint
- 9.3.4. Should the subcommittee, in the course of the investigation of the matter, identify further breaches of the Code of Conduct beyond those detailed in the complaint document, either by the respondents, the complainants or any third parties, they will be granted the full process and rights allocated to the initial respondents in the process. Where this requires an adjustment to the timelines previously communicated, such change and the reason therefore shall be notified in writing to all respondents and complainants.
- 9.3.5. Once the matter has been investigated and considered, the Ethics Committee's subcommittee will decide if any sanction is required and issue a recommendation on the complaint to the WSC and the Secretary General. The Chairperson of the subcommittee shall be available to brief the WSC and answer any necessary clarification questions on the submitted recommendation prior to the WSC's deliberations.
 - 9.3.5.1. If the recommendation is one of no sanction, the WSB will notify the complainant and the respondent of this recommendation. Should the complainant object to this, they may at this stage initiate the appeal process detailed below in Article 9.4.
 - 9.3.5.2. If the recommendation is one of any form

of sanction, the recommendation will be passed to the WSC for ratification. If the recommendation entails multiple independent actions of sanction, the WSC will be permitted to ratify each sanction independently. If the matter involves a WSC member, the same WSC member must be excused and may not take part in the ratification process.

9.3.5.3. If the WSC approves the recommended sanction of the Ethics Committee, the WSB will notify the respondent and complainant and take the recommended actions. Should either the complainant or the respondent object to the recommended sanction, they may at this stage initiate the appeal process detailed below in Article 9.4.

9.3.5.4. If the WSC does not approve the recommendation, the recommendation will be referred back to the Chairperson of the Ethics Committee for reconsideration. Having considered the comments of the WSC, the Ethics Committee shall issue a revised recommendation and substantiation for the WSC's approval.

9.3.5.5. Should the WSC not accept the revised recommendation, the WSC will notify the Ethics Committee and take such action as it deems fit.

9.3.5.6. In the event that a matter has multiple respondents, the subcommittee will make a separate recommendation for independent consideration by the WSC in the matter of each individual respondent.

9.3.6. Both the complainant and respondent are entitled to one appeal under this process. Once the appeal as detailed below has been heard, the ratification of the recommendation by the WSC is final.

9.4. APPEALS PROCESS

- 9.4.1. Either the complainant or the respondent may appeal a decision related to Sections 9.3.2, 9.3.5.1, or 9.3.5.3 by written notice by email, by post, or by hand to the WSB. The substantiation for appeal must provide sufficient basis for the appeal to be heard and present any information required to consider the appeal. This appeal must be submitted within seven working days of the notice being received from the WSB by complainant of the respondent respectively or by the appealing party in terms of the actions related to Articles 9.3.2, 9.3.5.1, or 9.3.5.3. In the event of a matter involving multiple respondents, an appeal will only be considered on an individual-by-individual basis, and will only impact on the specific recommendation for which that appeal is lodged and will have no effect on decision relating to the other non-appealing parties.
- 9.4.2. The substantiation for appeal will be considered by the Chairperson of the Ethics Committee and a delegated member of the WSC. Should this be deemed to be a valid appeal, the complaint, along with the appeal submitted by the appealing party will be referred to a new subcommittee of the Ethics Committee, chaired by the Chairperson of the Ethics Committee, and not including any member of the original subcommittee who considered the complaint. Additional members external to the Ethics Committee may be appointed by the Chairperson of the Ethics Committee to form the new subcommittee.
- 9.4.3. Having considered the appeal and complaint, the subcommittee shall issue a recommendation to the WSC.
- 9.4.4. If the WSC approves the recommendation and sanction

(if any) of the Ethics Committee, the WSB will notify the respondent and the complainant and take the recommended actions. The approval of the WSC of this outcome from the appeal is final.

- 9.4.5. If the WSC does not approve the recommendation, the recommendation will be referred back to the Chairperson of the Ethics Committee for reconsideration. Having considered the comments of the WSC, the Ethics Committee shall issue a revised recommendation for the WSC's approval. The WSC's approval of this outcome of the appeal is final. Should the WSC not accept the revised recommendation, the WSC will notify the Ethics Committee and take such action as it deems fit.

10. DOCUMENTATION AND RECORDING

- 10.1. The complaint and recommendation, along with copies of communications with the complainant and respondent will be filed by the WSB.
- 10.2. For the purposes of institutional learning, the Ethics Committee will produce an anonymised summary of the complaint and recommendations arising for the use of the WSB in internal communications.

11. MONITORING AND LEARNING FROM COMPLAINTS

- 11.1. The Ethics Committee will be responsible to report annually on complaints raised and corrective actions required. These reports are to be reviewed annually to identify any trends, which may indicate a need to take further action.



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