

COMPLAINTS AND INVESTIGATION PROCEDURES AND GUIDANCE

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ORGANIZATION FOR PROMOTION OF HEALTH & COMMUNITY DEVELOPMENT

Code Version Control and History: The OPHCD Complaints and Investigation Procedures and Guidance

Title	Complaints and Investigation Procedures and Guidance
Version	V2, Released July 2026
Source language	English
Responsible Unit	MEAL Department
Developed by	MEAL Department
Subject (Taxonomy)	Risk Management
Date approved	July 2026
Approved by	Board of Directorate
Applicable to	All OPHCD Staff
Purpose	To establish a transparent, confidential, fair, impartial, and accountable mechanism for receiving, assessing, investigating, resolving, and documenting complaints and allegations, while protecting the rights and safety of all parties and supporting continuous organizational improvement.
Is part of	Organizational Governance & Accountability Framework
Conforms to	International best practice
Distribution	Sent to all OPHCD staff members



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1.ABOUT OPHCD:

1.1. INTRODUCTION AND LEGAL STATUS

Organization for Promotion of Health & Community Development (OPHCD) is a non-government, non-profit, non-political, impartial and independent organization registered with:

- The NGOs Department of the Ministry of Economy of the Government of Islamic Republic of Afghanistan with license No 4160
- The Ministry of Public Health of the Government of Islamic Republic of Afghanistan with the registration No 762

The organization established to serve the community and advocate for better coordinating and directing the available resources and activities for provision of quality services to the communities with an equitable manner. OPHCD, as a non-governmental organization committed for a joint mission with having dedicated and expert staff in public health, Water Sanitation and Hygiene, education, community development as well as volunteers who have been working in technical and managerial positions with national and international NGOs since more than one and half decade.

The members of the Board of Directors, senior Management Team (SMT) as well as the volunteers of the organization having appropriate experience, dedication and voluntarism which is a professional contribution to the health, education and development sector for achieving of more sustainable results. The core staff of OPHCD have more than one and half decade of successful experience of being directly involved in **developing** different policies and strategies as well as **designing** and **implementation** of projects in the areas of health, WASH, education and community development sectors such as; Primary Health care (PHC), Basic Package of Health Services (BPHS), Essential Package of Health Services (EPHS), Water & Sanitation and Hygiene, Primary education and Literacy programs, youth awareness and development, Public Nutrition, emergency preparedness and response and disaster risk reduction, trainings and coordination of different humanitarian Aids. Furthermore, the SMT and core Technical, Administration and Finance staff of the organization have up to date knowledge and rich experience of Grant Management, Project Management as well as conducting professional tasks of supportive Supervision, Monitoring, Evaluation, and Researches. Likewise, developing and on-time reporting (monthly, quarterly, annual, end of project and ad-hoc reports) to the donors and stakeholders, presenting the results of the aforementioned programs at the community, organizational, national and international levels are the expertise of the organization's technical and administrative staff.

1.1. Vision

An empowered society with sustainable and self-reliance health, social and economic stability at the community level.

1.2. Mission Statement

OPHCD, as a non-governmental organization is striving for well-being of the society with promotion of health and sustainable development of the communities through advocating for better coordinating and directing the national policies and strategies as well as available resources and activities for provision of quality health, educational, social safety, human right and social welfare, economic, environmental and development services to the communities with the focus on the women and children, drugs users, IDPs and other marginalized group of the society with an equitable manner.

1. INTRODUCTION

The aim of this guidance is to clarify steps to be taken when sexual exploitation and abuse of beneficiaries / recipients of services, is suspected and when that abuse is allegedly perpetrated by a member of staff working in a development or emergency context.

PURPOSE, SCOPE AND APPLICABILITY: This procedure establishes the minimum requirements for receiving, assessing, referring and investigating serious complaints involving OPHCD personnel or operations. It applies to employees, volunteers, interns, consultants, contractors, partner and sub-partner personnel, Board members and any other associated personnel. It covers alleged PSEA, safeguarding violations, abuse of power, fraud, corruption, retaliation, serious misconduct and other breaches requiring a formal administrative investigation. Routine programme feedback shall normally be managed through the Complaints and Feedback Mechanism; employment grievances through the HR grievance procedure; and protected disclosures through the whistleblowing procedure, unless the allegation requires safeguarding action or formal investigation. Key terms used in this procedure include complainant, survivor, subject of complaint, witness, child, associated personnel, retaliation, informed consent, allegation and administrative investigation.

The focus of the investigation is to:

- ✓ Find out if the staff member has breached the OPHCD's PSEA policy

The investigation shall determine whether any employee or associated personnel has breached OPHCD's current Protection from Sexual Exploitation and Abuse (PSEA)/Safeguarding Policy, Code of Conduct, employment or contractual obligations, or other applicable organizational rules. All references to "PESA" in this document shall be corrected to "PSEA".

- ✓ Recommend appropriate and proportionate disciplinary action
- ✓ Protect individuals from being abuse or exploited
- ✓ Highlight issues relating to poor practice/performance
- ✓ Identify aspects of programmed delivery or performance that increase risks of abuse or exploitation by staff.

This is an administrative procedure and should not be seen as a substitute for a criminal investigation when this is warranted.

2. CORE PRINCIPLES OF AN INVESTIGATION

- ✓ **THOROUGHNESS:** investigations must be conducted in a diligent, complete and focused manner.

All investigations shall follow survivor-centred, do-no-harm and best-interests-of-the-child approaches; ensure non-discrimination, accessibility and reasonable accommodation; protect complainants, survivors and witnesses from retaliation; respect informed consent; and provide the subject of the complaint with presumption of innocence and a fair opportunity to respond. Personal information shall be protected and shared only with persons who have a strict need to know, except where disclosure is required by law or necessary to address an immediate safeguarding risk.

- ✓ **CONFIDENTIALITY:** complainants, witnesses and the subject of allegations have a right to confidentiality other than in certain, exceptional circumstances.
- ✓ **SAFETY PARAMOUNT:** the safety and welfare needs of the victim/survivor and/or complainant are paramount.
- ✓ **COMPETENT, RESPONSIBLE, INDEPENDENT INVESTIGATORS:** people conducting investigations and preparing reports should be responsible, independent and have received training.
- ✓ **IMPARTIALITY:** investigations must be conducted in a fair and equitable way. Investigators must be free of any influence that could impair their judgement.
- ✓ **OBJECTIVITY:** evidence to support and refute the allegation, must be gathered and reported in an unbiased and independent manner
- ✓ **TIMELINES:** investigations must be conducted and reported in a timely way
- ✓ **ACCURACY AND DOCUMENTATION:** investigation reports and their conclusions must be supported by adequate documentation.

3. ACCOUNTABILITY

All organizations need to designate a senior member of staff, to assume responsibility for the oversight and monitoring of the investigations. This person would be responsible for ensuring that an investigation is undertaken according to the core principles above and in line with these procedures.

OPHCD shall designate a Complaints/CFM Focal Point and a PSEA/Safeguarding Focal Point to receive and safely refer complaints. The General Director shall authorize investigations and management action; HR shall advise on due process and disciplinary procedures; and the Board of Trustees shall provide oversight. Allegations involving the General Director shall be reported directly to the Chair of the Board, while allegations involving a Board member shall be handled by an independent Board committee or qualified external investigator. Every person involved in a case shall sign confidentiality and conflict-of-interest declarations and shall withdraw from the case where actual, potential or perceived conflicts exist.

It is essential that all organisations establish procedures that detail actions to be taken and allocate clear and specific roles and responsibilities to named post-holders, following an allegation of abuse or exploitation by a member of staff (see following section). This would identify who must do what, within what timescales, and the lines of reporting or consultation at each stage of the investigation.

4. RESPONSIBILITIES

The following list of tasks is intended to act as a guide/check-list of some of the specific issues that must be addressed and therefore tasks that must be allocated to a specific member of staff, upon receipt of a complaint. Depending on the structure of the organisations, it is assumed that this could involve a senior member of staff in headquarters, senior country management, and staff identified and trained as investigators.

4.1 Senior Member of Staff's responsibilities

- ✓ Initiating an investigation of an alleged breach of UN staff rules regarding sexual exploitation and abuse.
- ✓ Deciding who needs to know and briefing those individuals.
- ✓ Ensuring that the investigation is conducted according to the key principles and procedures.
- ✓ Deciding whether to suspend or redeploy the subject during the investigation.
Appointing the investigators and providing them with terms of reference and delegated authority. There should normally be 2 investigators allocated to each case, to allow for greater objectivity, support and easier documentation, recording of interviews.
- ✓ Receiving the final report and making a decision on outcomes.
- ✓ Notifying the national authorities, if the allegation concerns a possible crime, if appropriate, and ensuring that due legal process is followed.
- ✓ Deciding whether and when to notify the national authorities and/or other external agencies (e.g. UNHCR if this concerns a population of concern to them).
- ✓ Facilitating the investigation by ensuring the co-operation of staff, the availability of premises, interpretation, office facilities etc.
- ✓ Facilitating the implementation of plans to meet the needs of complainant and/or victims, specifically their need for protection, including possible relocation, and any health/medical needs.
- ✓ Informing other organizations which are implicated in the allegation/ investigation.
- ✓ Providing information on the local context, culture, or any other issues that may be relevant or impact on the investigation
- ✓ Maintaining at least a basic database, that is secure and protected from unauthorized disclosure, of prior complaints/ investigations.
- ✓ Checking records to establish any prior complaint/investigation against a specific individual, and ensuring this information is made available to staff involved in the planning and conduct of investigations.

4.2 Investigators' responsibilities

- ✓ Developing a written plan of the investigation
- ✓ Conducting the investigation according to the agreed protocol, including gathering evidence, reporting and making recommendations.
- ✓ Assessing/reviewing and advising on matters pertaining to the needs of the survivor/victim and other witnesses.
- ✓ Assessing/reviewing and advising on matters pertaining to the subject e.g. support needs, suspension etc.

In order to ensure professional care and competence, investigators, managers and human resources staff must receive appropriate training in the skills and knowledge required to fulfil their responsibilities. A "pool" of qualified investigators from internal and/or external sources should be established. Depending on the nature of the investigation, establishing a multi-disciplinary team may be advisable, and consideration of using a professional with relevant experience and skills in counselling may also make sense.

Investigators are appointed by senior staff members and are provided with Terms of Reference and delegated authority. OPHCD will ensure that all investigators receive the necessary training, supervision, emotional and psychological support to undertake interviews of women and children who have been sexually exploited and abused.

5. PRELIMINARY INVESTIGATION

COMPLAINT INTAKE AND TRIAGE: Complaints may be submitted without charge through [0707825060], [info@ophcd.org], complaint boxes, in person to trained focal points, or through an authorized partner. Anonymous and third-party reports shall be accepted and assessed on the available information. The receiving focal point shall acknowledge the complaint, assign a confidential case reference, record only necessary information, assess immediate safety and medical needs, explain confidentiality and consent, check conflicts of interest, assess retaliation and safeguarding risks, classify the allegation, and decide whether to refer, close, preliminarily assess or formally investigate the case. Retaliation, intimidation or disadvantage against any person who reports or participates in good faith is prohibited.

Upon receipt of a complaint, a decision needs to be made as to whether to proceed immediately to a full investigation or conduct a preliminary investigation. In cases where multiple agencies are implicated in the complaint, all such agencies must be involved in deciding the nature and scope of the investigation and consideration given to conducting a joint investigation as appropriate.

The aims of a preliminary investigation are to gather relevant data and ensure that the immediate needs of all concerned are met. The presumption should be that an investigation will be instigated (without recourse to a preliminary investigation) unless the complaint is sufficiently vague to merit further clarification before a decision can be reached. The fact that a complaint lacks clarity, or occurs within a specific context does not constitute grounds for treating it less seriously than other complaints.

The senior person should establish whether the subject had had prior complaints made against him as multiple complaints could provide a compelling case for proceeding to an investigation. (This requires the maintenance of good personnel records and documentation of concerns.)

It may also entail a brief interview with complainant/ victim(s)/ others. This should be aimed at establishing whether grounds exist to proceed, not to elicit substantive detail. It is essential that those involved in preliminary investigations guard against closing down the investigation process too quickly. To this end, the presumption should be that an investigation should take place unless the preliminary investigation finds that there are no grounds to proceed.

6. EXTERNAL REFERRALS

1. If the alleged behavior constitutes a possible crime, according to local laws

If the incident in question is a crime, in addition to being a possible breach of the organizations policies, the victim/survivor should be informed of the option of making a parallel complaint to the law enforcement authorities, and informed of any available support to assist with this. In some countries there may be mandatory reporting of certain alleged crimes.

Before any external referral, the responsible senior officer shall document the survivor's informed consent, immediate safety, capacity and preferences; the best interests and safeguarding needs of any child; applicable Afghan law; donor or UN reporting obligations; and the availability and quality of medical, psychosocial, protection and legal services. Referral to authorities shall not be automatic where it may expose the survivor to additional harm, unless reporting is legally mandatory. Current legal or safeguarding advice shall be obtained where needed, and the decision and rationale shall be securely recorded. External notifications shall use the minimum identifying information necessary.

The senior member of staff, in consultation with the senior local manager, should consider informing the law enforcement authorities whenever a crime is alleged, taking into account the wishes of the victim/survivor, his or her capacity to give informed consent, and any concerns about the legal/judicial processes in that specific country. The internal investigation should not be seen as a substitute for a criminal investigation where this is warranted.

Having a criminal investigation and an administrative investigation underway at the same time, may seriously compromise the police investigation and jeopardies any subsequent criminal prosecution. It may be advisable to delay the administrative process. There may be circumstances where this is not advisable, e.g. excessive delay, but if they are run concurrently, great care must be taken to avoid compromising any future legal procedures

2. Consideration needs to be given as to whether there are other stakeholders (e.g. other INGOs/NGOs, UNHCR) who need to be notified and engaged in strategic planning.

7. PLANNING AND CONDUCTING THE INVESTIGATION

Careful planning is central to the conduct of a 'best practice' investigation. This includes clarification of:

- ✓ What the tasks are
- ✓ Who is to undertake them
- ✓ When they are to be undertaken and
- ✓ How progress is to be reviewed.

The investigators should construct a written plan which addresses the following:

8.1 Compiling Evidence

Consideration needs to be given as to who is to be interviewed and in what sequence. A degree of flexibility will be required as interviews might reveal the identities of others who should be approached. As a general rule the sequence should be:

Investigators shall maintain an evidence log and chain-of-custody record showing the case reference, item description, source, date and method of collection, custodian, transfers, storage location and final disposition. Evidence shall be collected lawfully, proportionately and without unnecessary intrusion. Original electronic records shall be preserved; working copies shall be used for analysis; and case files shall be coded, encrypted and accessible only to authorized personnel. Physical and digital records shall be retained and securely destroyed in accordance with OPHCD's Data Protection Policy and approved retention schedule. Any loss, unauthorized access or disclosure shall be reported immediately under the data-breach procedure.

- ✓ Complainant
- ✓ Victim(s) - if different from above
- ✓ Witnesses - if any exist
- ✓ Subject

Consideration also needs to be given as to whether other forms of evidence might exist and as to how to access them. Evidence might include work logs/rosters, stockpiles of rations, photos, emails, photographs and so on.

8.2 Use of Interpreters

The plan needs to establish whether interpreters are required and how to access these. The need to protect the confidentiality of witnesses and the subject requires that interpreters are carefully chosen.

8.3 Witness Protection

The plan should anticipate what the witnesses' (including victim/survivor and the subject of the complaint) needs might be and identify some potential resources to meet them. The principal consideration is for the witnesses' need for protection and, to this end, a witness protection plan needs to be established at the planning stage. There needs to be discussion around possible reprisal - from e.g. subject or other members of the community - and how to tackle this.

8.4 Health Needs

In some cases (see complaints procedure) urgent medical attention is indicated. This must take priority over any other procedure as it may be necessary for victims/ survivors to undertake a medical investigation to ensure their own health and well-being. Protocols should be in place for referral to appropriate services and consent for this should be sought from the victim/survivor.

8.5 Other Witness Needs

Witnesses (particularly if they are also victims) may have other needs which should be anticipated at the planning stage, including any need for additional support or counselling, and help to understand the criminal justice implications and make an informed view as to whether he/she wishes to make a complaint. The plan needs to consider how the victim (and complainant/ other witnesses) will be kept informed of the progress and outcome of the inquiry.

8.6 Subject's Needs

Irrespective of the nature of the complaint, OPHCD owes a duty of care to the subject of the complaint. The plan needs to address what support he/she needs, how this can be provided, and whether he/she should be suspended, with or without pay, or moved to other duties, while the investigation is underway. It also needs to consider how he will be kept informed of the progress and outcomes of the inquiry and the expected timeframe.

8.7 Timeframes

The plan needs to set timeframes for each stage of the investigation to ensure completion (without prejudice of quality) at the earliest opportunity.

Example service standards: acknowledge a complaint within two working days (48 hours); complete initial safety assessment and triage within five working days (5-days) ; appoint investigators and approve the Terms of Reference within five working days (5-days) of the investigation decision; complete the investigation normally within 30 calendar days; issue the management decision within 10 working days after receiving the report; communicate the permitted outcome information within five working days; and allow an appeal or review request within 10 working days. The General Director, or the Board Chair for cases involving senior management, may approve a documented extension. The complainant/survivor and subject shall be informed of significant delays without disclosure of confidential case information.

8.8 Confidentiality

It is essential that the plan address how confidentiality with respect to the identity of the witness and the subject is to be preserved. This includes:

- ✓ Only disclosing identities to those who 'need to know'
- ✓ Accessing interpreters in such a way as to maximize the preservation of confidentiality
- ✓ All records and reports being made anonymous - via the removal of names and substitution of witness A, witness B, subject A etc.
- ✓ All records being kept within a locked filing cabinet accessible only by investigators.

8.9 Location

Interviews need to be conducted in a location, which is suitable and protects confidentiality.

8. INTERVIEWING WOMEN AND CHILDREN

Special care should be taken to reduce the risks of causing further harm or distress when interviewing any witnesses. This is particularly important when interviewing children, or other anxious, fearful or vulnerable people.

Interviews with children, survivors and other persons at heightened risk shall be conducted only by trained interviewers using a survivor- and child-sensitive approach. Informed consent and, where appropriate, child assent shall be obtained. A parent or guardian shall participate only when this is safe and in the child's best interests. The interviewee may request a trusted support person and, where feasible, an interviewer and interpreter of the preferred gender. Interviews shall take place in a private, safe and accessible location; avoid repeated or leading questions; allow breaks; and stop where continued questioning may cause harm. Recording requires explicit consent. Notes and recordings shall be securely stored, and urgent referral needs shall be addressed without delay.

Witnesses should always be interviewed in the language of his/her choice.

9. INTERVIEWING THE SUBJECT OF A COMPLAINT

INTERVIEWING THE SUBJECT OF A COMPLAINT: Before interview, the subject shall receive written notice of the allegations and the relevant policy provisions, sufficient detail to understand and respond to the case, and at least three working days to prepare unless a shorter period is justified by an urgent protection risk. The subject shall be given a fair opportunity to

respond, identify relevant witnesses and submit evidence, and may be accompanied by a support person or representative who is not a witness. The interviewer shall explain confidentiality, non-retaliation and any interim measures. An accurate interview record shall be prepared and offered to the subject for review, correction and signature; refusal to sign shall be documented. Suggested structural correction: insert a separate heading, "INVESTIGATION REPORT", immediately before the existing report requirements below.

The investigation report should:

- ✓ Observe the principles of good report writing i.e. be clear, concise, written in plain language and be grammatically correct.
- ✓ Bear testimony to the core principles of an investigation
- ✓ Address evidence to support and refute the complaint (where such exists)
- ✓ Describe the methodology (process) as well as findings (content)
- ✓ Evaluate evidence against specific stipulations OPHCD rules regarding sexual exploitation and abuse.
- ✓ Separate fact from opinion
- ✓ Provide sufficient evidence to back conclusions and recommendations.
- ✓ Be produced according to agreed timeframes

The report should include:

- ✓ Name and title of investigators
- ✓ Name (or case reference number) of subject(s)
- ✓ A statement to the effect that the report is confidential and is not to be copied or disclosed without due authorization
- ✓ Date
- ✓ Clarify the nature of the complaint and which stipulations of OPHCD rules regarding sexual exploitation and abuse are alleged to have been breached.
- ✓ State the scope of the investigation (how many complainants, witnesses, subjects etc)
- ✓ Give brief contextual information e.g. which country.
- ✓ State any impediments to the investigation e.g. lack of co-operation by subject or unwillingness to be interviewed by any witnesses.
- ✓

10. FINDINGS AND DISCIPLINARY ACTION

FINDINGS, DECISION AND CASE CLOSURE: Findings shall be assessed using the administrative standard of "balance of probabilities", meaning whether it is more likely than not that the alleged conduct occurred. Finding categories shall be: substantiated, unsubstantiated, or inconclusive/insufficient evidence. Investigators shall make factual findings and recommendations but shall not decide disciplinary sanctions. The General Director or other authorized decision-maker shall determine proportionate management action under OPHCD procedures. The complainant/survivor and subject shall receive appropriate outcome information, subject to confidentiality and data-protection requirements, and shall be informed of available review or appeal procedures. Corrective actions, survivor follow-up, retaliation monitoring, lessons learned and case closure shall be documented. An unsubstantiated complaint shall not be treated as malicious; bad faith must be separately established through a fair process.

If there is evidence to clear the subject of the complaint, he/she should be informed of this, and managers encouraged to inform those staff involved in the investigation or otherwise aware of the nature of the allegations, that the person has been cleared of the allegation. Should the investigation indicate that the allegations have not been substantiated, the case will be closed.

Should the investigation find that the allegations have been substantiated, the matter should be pursued under the Agency's appropriate disciplinary procedures. Found by reasonable inference is sufficient grounds to recommend disciplinary action. Neither 2 nor 3 should lead to disciplinary action though steps might be recommended (training, supervision) if there is an indication of poor practice or negligence, which does not amount to abuse or exploitation, or to enable the subject to take better steps to protect himself in future.

If a finding of malicious complaint by another member of staff is reached, sanctions will be pursued against that member of staff.

Any particular concern about possible reprisals against witnesses should be noted. The designated senior staff member should put in place concrete plans to monitor this.

If, after proper investigation, there is evidence to support allegations of sexual exploitation or sexual abuse, these cases may, upon consultation with the appropriate internal legal advisors, be referred to national authorities for criminal prosecution.

Change control history

POLICY ADMINISTRATION AND ANNEXES: Policy owner: [Head of SAAP Unit]. Effective date: [01st July 2026]. Mandatory review cycle: every two years, or earlier following a serious incident, audit finding, legal or donor requirement, or significant organizational change. Next review date: [insert date]. The amendment log shall record the version, approval date, summary of changes and approving authority. The following standard tools shall be annexed: complaint intake form; initial safety and risk assessment; confidential case register; investigation Terms of Reference and plan; confidentiality and conflict-of-interest declaration; interview record; evidence and chain-of-custody log; investigation report template; outcome notification letter; appeal/review form; case-closure checklist; and updated referral directory.

002	July ,2026	Board of Trustee General Director
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Signature.....



Date.....

07/ 2026

APPROVED BY:

After the review of the policy, on behalf of the OPHCD Board of Trustees, the said manual is hereby approved and ready to be implemented henceforth.

Reviewed and Approved: Board of Trustee