

TOOL 2

GUIDANCE FOR CONSULTATIONS WITH CONCERNED POPULATIONS ON PSEA AND COMMUNITY-BASED COMPLAINT MECHANISMS



NOTE

This guidance forms part of the PSEA/SH Project in the Americas region and should be used in coordination with **Tool 4: Steps to set-up a community-based complaint mechanism**. It is intended to be used as part of the process any service provider undertakes to set-up and monitor feedback and complaint mechanisms. This tool is designed for PSEA Focal Points and/or other personnel who have specific experience and expertise in protection of vulnerable persons as part of their role.

INTRODUCTION

Establishing accessible, safe and confidential complaint mechanisms is a key component of any system intended to protect, prevent and respond to exploitation and abuse, including sexual exploitation and abuse (SEA) by service providers, agencies and their personnel against concerned populations and communities.

Systems to address SEA should not stand-alone. It is important it fits within the existing feedback reporting, response and referral mechanisms provided by service providers and those within the local populations themselves. This can help ensure that each person's right to access protection and proper services is met. It is also good practice that complaint mechanisms are designed to handle complaints about different types of issues e.g. programme activities, protection, SEA or other misconduct related complaints, etc. This can better facilitate people coming forward and reporting serious incidents and is referred to as an 'integrated' complaint mechanism (**See Tool 4: Steps to set up a community-based complaint mechanism**).

PURPOSE OF THIS GUIDE

A feedback and complaint mechanism is most effective when it is based on and is appropriate to the needs of the concerned population and potential users of the mechanism, and takes into consideration the different age, gender and diverse characteristics of the individuals that form part of the specific group. It is therefore important when designing a mechanism to first consult with concerned populations to gain an understanding of their needs and risks, and the vulnerabilities and capacities of different groups. It is also necessary to conduct consultations and communicate with them throughout the duration of the mechanism to assure it remains appropriate and responsive to needs.

This guide comprises of 3 Tools (See Annex: Tools A, B and C) which are designed to support PSEA Focal Points and/or other personnel who have specific experience and knowledge of PSEA, and protection issues, to conduct consultations with concerned populations.

The tools can support personnel to better understand the perspectives of the concerned populations on issues of protection and SEA, of their preferred ways to discuss sensitive issues safely, their preferred ways to raise and resolve issues within their communities, and how they would want to report and communicate with service providers on such issues. This information can be used to put in place mechanisms that will be appropriate and therefore used, and be effective in addressing complaints, including on SEA.

OBJECTIVES

The objectives of conducting consultations with concerned populations are to:

- Raise awareness of the rights of concerned populations to submit a complaint to service providers and to receive a response
- Identify existing community-based and indigenous complaints systems
- Explore the most relevant complaints systems for different members of a concerned population group
- Identify appropriate procedures for submitting complaints and receiving feedback to concerned populations
- Identify barriers and risks to reporting within a concerned population group and to service providers
- Inform the design, set-up and management of community-based complaint mechanisms.

METHODOLOGY¹

The following are important considerations when preparing for and facilitating the consultations with different concerned population groups:



Be aware of the background of participants and consider how best to group people in order to discuss this specific subject matter. When grouping different people consider their specific needs and the potential risks that different grouping may be affected e.g. e.g. people with different religious, political or cultural beliefs, survivors of SGBV, children at risk, individuals with diverse sexual or gender identities (SOGI).

CONTEXTUALIZE

The introduction and questions below (See Annex: Tools A, B and C) need to be adapted to the operational context and the specific situation of the population groups being consulted. In some situations, the engagement of a respected member from the concerned population can help review and adapt the questionnaire and the methodology. This will ensure that information is gathered using appropriate terminology and language, and cultural and sociological aspects are respected e.g. 'denouncement' may be a relevant word to be used in some contexts whereas 'complaint' is best in others, likewise 'reporting' is not seen as encouraging to come forward by some individuals.

1. Please refer to the following tools for participatory assessments for further guidance:

<https://www.unhcr.org/publications/legal/450e963f2/unhcr-tool-participatory-assessment-operations.html>

<https://www.unhcr.org/protection/children/50f6d1259/listen-learn-participatory-assessment-children-adolescents.html>

GROUPINGS

Conduct an amount of consultations necessary to get a representative sample of the population group that the complaint mechanisms are intended for and based on the location and accessibility to the services being provided. Divide people into groups that represent the most appropriate demographic grouping within the specific context. Each group should have no more than ten participants.

Recommended groups include; women, girls, men, boys, older people, people with diverse capacities, people from different ethnic or indigenous groups, people with diverse SOGI if culturally appropriate. Regional pilot teams recommended an appropriate age grouping to be; adolescent girls, women aged 18 to 40, women over 40, adolescent boys, men aged 18-40, men over 40, girl and boy children groups.

Consider the different groupings and how this may affect people's participation and group them accordingly, and always assess potential risks for participants.



In meetings involving women, in consideration with the specific cultural context, female facilitators may be required. It is therefore recommended to ensure the availability of women to support the consultation.

If you intend to consult children, ensure that you **prepare them in an age appropriate manner on the issue of SEA**. Ideally have no more than 5 children with similar ages or instance group of children under 5 years, 5-8, 9-12, 13-17 years. Consider using different techniques (where the facilitators have experience of doing so) i.e. drawing, drama etc.

Consider conducting individual consultation meetings with key informants or people where one-to-one discussions are more appropriate i.e. community leaders, care takers, parents associations, someone who plays a pivotal role within the community, protection focal person etc.

FACILITATION

Consultations are best facilitated by personnel who are experienced at working directly with concerned populations and who are familiar with the specific population group being consulted. Due to the potential sensitivity of the discussions, it is important that facilitators have experience and knowledge of the type of issues that are likely to be raised, and of how these can be appropriately addressed in the specific context e.g. protection, gender, SEA, SGBV, child protection, feedback and complaint mechanisms. Assure confidentiality of the discussion from the outset, but explain mandatory reporting obligations in the case of disclosures.



Discussing and asking questions around the subject of sexual exploitation abuse and the personal risks and vulnerabilities they face must be done sensitively. These issues can bring up emotional experiences for people. Facilitators must be prepared and equipped with the necessary skills and information to limit the scope of the conversations so as to not open-up disclosures in this type of situation but be able to properly support participants in the event that this occurs.

The facilitators role is to guide the discussion and ask for feedback from participants based on the questions outlined below (See Annex: Tools A, B and C). Agree how the consultation will be managed between the facilitators, who will take notes, ask which questions etc. Facilitators must actively listen to responses and give appropriate feedback to questions that may arise during discussions about this topic (i.e. what should I do if I know of wrong-doing happening where I live now? How do we know that information is kept confidential? etc.).

IMPORTANT CONSIDERATIONS

The following points should be considered in the planning and facilitation for consultations:

- Ensure an appropriate gender (balance) of the facilitators for each consultation
- Prepare introduction and briefing on complaint mechanisms and SEA issues based on the context and relative to the demographic group
- Arrange a location for consultations which provides privacy, security and confidentiality for the discussion
- Create an environment for the consultations where people feel at ease and discussions can take place uninterrupted
- Understand and respect specific sensitivities and cultural dynamics about SEA in your context
- Set clear expectations on what the information collected from the tool will be used for
- Consider the potential for disclosure of SEA, SGBV, child protection or other risks during consultations and ensure that facilitators are well prepared with the most up to date and appropriate advice in such a situation
- When identifying SGBV and Child protection (CP) cases, set clear and safe referral pathways for such situations that require case management
- Ensure inclusion of diverse and vulnerable groups i.e. displaced populations, women, girls, men, boys and others of diverse backgrounds, Afro-American and indigenous populations, people with diverse capacities, people with diverse SOGI
- Use variety of participatory methodologies (group discussions, consultations, bilateral discussions with individuals, complaints cards, etc.)
- Be aware of how dynamics in the concerned population can affect peoples' ability to participate e.g. strong community leader or individuals dominating the discussion
- Record responses respecting confidentiality and do not take any photos of the discussions.

TOOLS FOR CONSULTATION MEETINGS:

TOOL B: QUESTION AND RESPONSE FORM – use one form per consultation group and note down the responses given for each question. This Form can be used electronically as it is, or the table can be adjusted to increase the response spaces and printed out to be filled in by hand during the consultation.

TOOL C: CONSOLIDATED FEEDBACK FORM - use this form to consolidate and present the findings from the consultations with communities.

TOOL A: INTRODUCTORY PARAGRAPH

** General guidance that should be contextualized and adapted to use as an introductory briefing for the consultation group.*

My name is _____ and this is my colleague _____. I work for _____ and she/he works for _____. [Introduce your role, your agency etc. if not known. Ask for names and any other basic information you would prefer].

We have invited you here today to ask for your feedback on how we can improve our services to you. We want to improve the ways we communication on important issues with you. And how we can set-up clear and confidential ways for you to raise any questions or concerns that you have about our work or about the way our personnel behave in their work and when delivering services.

There can sometimes be situations where personnel do not act in the way that is expected of them by their agency. Humanitarian workers, personnel and service providers have strict rules of behaviour which must be followed. [Using the IASC 6 Basic Standards for PSEA² clearly explain what the rules of behaviour/conduct are and what is prohibited by service providers. Explain that personnel are dismissed if they do no conduct in the right way or do wrong. This includes: any humiliating, degrading or exploitative behaviour; any form of exploitation and abuse (including sexual) of a member of the concerned population; sexual activity with children; any exchange of money, jobs, goods or services for sex or sexual favours; sexual relationships between personnel and concerned population. Explain that personnel are obliged to report any suspicions/incidents of wrong-doing by any personnel from any service provider. Explain rules of confidentiality are respected at all times].

We want to make sure that you have ways of communicating with service providers, which are best, safe and confidential for you. Your feedback is important to us, so that we set-up ways to communicate on these sensitive issues that will work best for you and in your situations. Our intention is to ensure that you can raise a concern or report incidents at any point to the most relevant personnel, and from any service provider, and that you receive a clear response safely and confidentially.

Your participation is completely voluntary and don't feel that you must answer questions that you are not happy to do so. We would like to have a general discussion and we will not ask for your specific stories or names. If at any time you would like to ask us something individually then please see either of us the end of the meeting.

Other than our discussion and the information that we will share with you regarding the issues we discuss, there are no other direct benefits related to this meeting.

We will keep this conversation confidential, and we will treat everything that you say today with respect, and we will only share the answers you give as general responses. We ask that you also keep everything confidential and private to this discussion in this space.

Is it ok if we take some notes to record the main points of our conversation?

We expect our discussion to last for at most an hour.

Do you have any questions before we begin?

2. <https://interagencystandingcommittee.org/principals/documents-public/iasc-six-core-principles-relating-sexual-exploitation-and-abuse-2002>

TOOL B: GUIDING QUESTIONS AND RESPONSE FORM

* Use form can be used to record feedback given during each consultation group.

Country: _____	Location of consultation: _____
Date: _____	Facilitators names: _____
Type of group/persons (i.e. women, girls, men, boys, others, older people, age, leaders, people with diverse capacities and SOGI etc.): _____	
Total Number of participants: women:____ men:____ girls:____ boys:____ others:____	
Status of people (i.e. indigenous, refugees, IDP): _____	

The following are guiding questions and facilitators may use different words adapted to the context and background of the population and community to discuss the different topics:

GUIDING QUESTIONS	RESPONSES
<p>First ask general questions to enquire about what service providers/agencies they have contact with and what services are being provided in their area. Ask a few general questions regarding they current situation to open up the conversation.</p>	
<p>Questions 1 - 11 relate to how people raise concerns or complaints about personnel to service providers:</p>	
<p>1. For you, what are the best / clearest ways that announcements are made, and information is shared with you by service providers about their work and the services? What works best and is clear for everyone? Examples: posters, face to face, radio, visual leaflets, through conversation etc.</p>	
<p>2. In what ways could communication materials /methods be made better, clearer for you in your current situation?</p>	
<p>3. In terms of the provision of services: What do you consider to be unfair/bad/not good provision of services in your experience? (explore what is expected from the services provided and of service providers)</p>	
<p>4. If you experience unfair/bad/not good service provision from a service provider, who would you raise a concern or submit a complaint to? (If people say that they wouldn't raise complaints it is important to explore a different word i.e. report, denouncement etc. that they relate to. You can use the next step of questions about how people raise issues within the community to facilitate a conversation on this)</p>	
<p>5. How do you expect service provider personnel to behave in their work with you and when providing services to you? (explore what behaviour is expected of personnel of service providers)</p>	

GUIDING QUESTIONS		RESPONSES
<p>6. If you experienced a situation where personnel of service providers did not behave in this way and you experienced misconduct from service providers, what can you do, who would you raise a concern or submit a complaint to?</p>		
<p>7. Do you consider these ways to submit complaints to be confidential? Do you prefer to submit complaints in an anonymous way? If so, why?</p>		
<p>8. How would you prefer to submit a complaint to service providers in your area? Examples: in writing (complaint box, letter); face-to-face discussions; by phone; through another family member; through community gatherings; online tools; social networks; e-mail; Other ways, please explain</p>		
<p>9. What would you expect to happen upon the submission of the complaint?</p>		
<p>10. What would prevent you, or other people you know, from submitting a complaint to a service provider?</p>		
<p>11. Are there any safety and security risks for you or other members of the community who submit a complaint? Which ones?</p>		
<p>12. How would you prefer to receive feedback from service providers about your complaint? Examples: in writing (complaint box, letter); face-to-face discussions; by phone; through another family member; through community gatherings; online tools; social networks; e-mail; Other ways, please explain</p>		
<p>13. Who would you prefer to provide feedback/respond to you about your complaint?</p>		
<p>14. What would you change in the current way that complaints are submitted and responded to by service providers?</p>		
<p>15. Are there any types of complaints that you would never recommend submitting to anybody?</p>	<p>If yes, which types of complaints and why?</p> <p>If yes, what do you think that should be changed so that this type of complaints can also be submitted and responded?</p>	

GUIDING QUESTIONS		RESPONSES
<p>15. Are there any types of complaints that you would never recommend submitting to anybody?</p>	How and to whom would you prefer to submit this type of complaint?	
	How and by whom would you prefer to receive feedback to this type of complaint?	
<p>16. If the person who receives the complaint is not able to help you, would you like your complaint to be referred to those who can deal with it upon your consent and with confidentiality? If yes, please explain why? If no, please explain why?</p>		
<p>17. In your view, what would be the best way to provide this referral?</p>		
<p>Question 18 - 22: these can be used to facilitate discussion about how people raise issues, concerns, complaints within their communities/groups</p>		
<p>18. Are there certain people within your group/ community/situation that you can best speak to or report issues you experience with service providers and personnel? Who are they, what is their role?</p>		
<p>19. How would they usually deal with these issues/reports made to them? What would you expect to happen?</p>		
<p>20. How do they normally give feedback to you about the issue or report made?</p>		
<p>21. Are there any barriers faced by people to raise issues and complaints about service providers within your community/group? If so, what are they? (Do they feel that it is confidential, how; do they feel that there would be retaliation, don't think anything would happen etc.)</p>		
<p>22. Are there ways that these barriers could be removed, so that people can more easily raise concerns or make a complaint about service providers and personnel?</p>		
<p>END</p> <ul style="list-style-type: none"> • Tie-up the discussion and thank participants for their time. • Explain again that their feedback is confidential and explain how you are to use the information given. 		

TOOL C: CONSOLIDATED FEEDBACK FORM FOR PILOT COUNTRY

** This form can be used to consolidate and summarize feedback received from all the consultations with concerned population groups, in order to facilitate the analysis of the information gathered.*

Country: _____ **Location of consultation:** _____

Number of groups consulted: _____ **Number of individuals:** _____

Total numbers: F _____ , M _____ , Girls _____ , Boys _____ , People with diverse SOGI _____
 People with diverse capacities _____ , Youth _____ , Older people _____ , Key informant _____

Status of concerned populations: _____

GUIDING QUESTIONS	RESPONSES
1. What are the common words used for 'complaint'?	
2. What are the common risks people face within their groups/communities?	
3. What common issues are faced by service providers and personnel?	
4. What barriers do people face to raise issues and what are the preferred ways to raise issues and deal with complaints in their communities?	
5. What ways/mechanisms are known to people to raise a complaint about service provision or personnel to service providers?	
6. What are the preferred ways to submit a complaint to service providers?	
7. What are the preferred ways to receive feedback from service providers about complaints?	
8. What are the preferred ways that referrals could be made between service providers?	
9. What are the main risks/barriers faced by people to making a complaint to service providers?	
10. What are preferred communication methods?	