

Stichting andgreen.fund

Complaints Management Policy

Adopted by a resolution of the Board of Directors on 14 July 2017

*Amended and restated on **24 April 2018***

Rationale

A complaint means any expression of dissatisfaction raised by borrowers, co-investors, contributors and/or any other stakeholder of the Stichting andgreen.fund (“the **Fund**”). For the avoidance of doubt, any borrower or co-investor of the Fund is considered a client for the purpose of this document.

Effective complaint handling offers many practical benefits to the Fund and helps to improve the quality of services. Complaints provide evidence of faulty decisions and poor service delivery. In light of this, the Fund makes all the possible efforts to conduct its operations in a manner that avoids clients’, contributors’ and stakeholders’ complaints. Clients, contributors’ and stakeholders should be ensured that their complaints are easy to report, acknowledged and dealt with quickly, fairly and sensitively. In order to preserve and enhance its reputation, the Fund should identify dissatisfied counterparties and work out methods of resolving their complaints.

Policy

In order to ensure that complaints are handled properly and resolved promptly while always meeting the clients’, contributors’ and stakeholders’ interests, the Fund has set up a Complaints Management Policy whereby:

- a) All clients, contributors’ and stakeholders are given the opportunity to raise their complaints;
- b) Complaints must be answered within three months from their reception;
- c) All complaints must be documented and reported.

The Complaints Management Policy shall not impede access to other judicial or administrative remedies that might be available under local law, or substitute for complaints mechanisms provided through specific agreements.

For the avoidance of doubt, whistle-blower provisions for all clients, contributors and stakeholders, including civil society organizations, are set in the Code of Conduct. In choosing whether to report under the whistle-blower provisions or this Complaints Management Policy, the following should be considered:

- The whistle-blower provisions are generally for the benefit of any concerned party who may or may not be raising an issue that they are directly affected by. Whistle-blower reports are generally anonymous by default, unless they volunteer the disclosure of their identity. Anonymity of whistle-blowers also signifies that the whistle-blowers will not receive any notice of acknowledgement by the Fund or any other follow-up investigation queries or reports related to the issue.
- This Complaints Management Policy is generally for the benefit of persons who themselves have been treated incorrectly or who have otherwise been treated in a sub-standard way. Except for complainants who have submitted their complaints on an anonymous basis or who have withdrawn or requested the deletion of their personal data, known complainants have the right to have their complaints treated in a timely and accountable manner by the Fund, in accordance with the procedure laid-out below, and to be kept informed of the status of investigation and resolution of their complaints.

No complainant who, in good faith, reports any dissatisfaction shall suffer any harassment, retaliation or adverse consequence. Any director, officer, service provider, who retaliates against any complainant shall be subject to discipline, including termination of office or contract. This protection from retaliation is not intended to prohibit governance bodies of the Fund from taking disciplinary actions within their usual scope of duties based on valid performance-related factors.

Guidelines

All complaints must be notified to the Fund in written form, following one of the following channels:

- a) Communication sent by postal mail at the address:
Innpact S.a.r.l.
5 rue Jean Bertels
L-1230 Luxembourg
Luxembourg
Attn.: Complaints – Stichting andgreen.fund

- b) Communication sent via email at the address:
complaints@andgreen.fund
Subject: Complaints – Stichting andgreen.fund

Information about complaints notification channels must be easily available to clients, contributors and stakeholders on the Fund’s website <http://www.andgreen.fund>.

Procedure

1. Submission of the Complaint – (day 1)

The submission of the complaint can occur either via postal mail or via email at the addresses specified in the Guidelines section of this document.

2. Acknowledgement of receipt of complaints

With a maximum delay of 10 business days after receipt of the complaint, the designated person of contact in the Fund (the “Contact Person”) sends an acknowledgement and informs the complainant of the review action taken. The Contact Person is responsible for the good management of the complaints procedure and is the main contact with complainants throughout the whole process.

3. Reporting to the Board of Directors

All complaints received between two Board meetings will be presented at the following Board meeting to the Directors, ensuring that all complaints are dealt within a reasonable delay. At all times, one designated member of the Board (the "Complaints Officer"), will ensure at all times that complaints are treated within the herein described procedure, and escalated without undue delay in accordance with the regulatory and contractual obligations of the Fund as the case may be.

The Complaints Officer shall ensure that systemic or recurring complaints are being identified, and that the cause of those complaints is being identified and remedied. The Complaints Officer will also present the lessons learnt at a regular basis to the Board of Directors as well as the actions put in place to avoid/limit complaints in the future.

Complaints received and related reports shall be kept confidential to the extent possible. Confidentiality interests will be balanced with the need to conduct an adequate investigation. Sharing of information in relation to complaints with persons not involved in the investigation or management of the complaints procedure is forbidden.

4. Investigation of the complaints

The investigation intends to analyse the reasons behind each complaint through a fair and independent view on the complaint raised by the complainant. The investigation should aim at reaching an objective assessment of the issue with an account of all the known facts and an assessment of how the matter should be followed up, including whether criminal prosecution or other sanctions are considered appropriate. If determined by the Board of Directors, the Fund shall initiate prosecution and/or apply other sanctions against persons or entities suspected of financial irregularities.

The Complaints Officer may delegate the management of the complaints to another member of the Board of Directors.

The Complaints Officer remains responsible for managing the investigation process, determining the knowledge and skills required to undertake the investigation, and hiring external if needed and subject to the Board approval.

The key considerations the Complaints Officer takes into account when hiring external experts for investigations are expertise, independence, and impartiality. Those experts will have specific confidentiality requirements.

If the complaint involves the Complaints Officer or a member of the Board of Directors, such individual(s) will not be permitted to participate in the consideration and investigation or determination of the redress of such a complaint.

5. Answer to the complaint

The Contact Person shall respond to the complainant in writing no later than two months from the receipt of the complaint, by post or e-mail.).

The answer shall contain any required information or opinion judged useful to address the complaint. The content of the answer shall be in accordance with the Articles of Incorporation of the Fund and the general principle of information transparency.

If the complainant does not receive an answer or receives an unsatisfactory answer from the Contact Person within two months from first addressing the complaint, the complainant is entitled to contact the Complaints Officer, at the same addresses provided in the Guidelines section of this document.

If within a delay of one month from the day on which the complaint was addressed to the Complaints Officer the complainant does not receive an answer or receives an unsatisfactory answer, the complainant may refer the request to the Board of Directors as a whole. In this case, the Contact Person will be responsible for ensuring that the complaint is received by the Board of Directors.

6. Reporting and record keeping (after resolution of the complaint)

The Complaints Officer is in charge of maintaining the Complaints Report whose objective is to keep a record of all useful information in order to achieve good tracking of complaints.

Before 1 March of each year and each pre-scheduled meeting of the Board of Directors, the Complaints Officer shall present a Complaints Report to the Board of Directors with an analysis of the complaints activity of the previous year or period.

All records of complaints shall be maintained by the Complaints Officer, as anonymised to the extent necessary, and will be kept for a minimum period of 5 years.

Complainants have the right to remain anonymous throughout the investigation process. In this case complainants should be aware that they will not receive any notice regarding the status and outcome of investigations and will not be contacted by the Contact Person.

Complainants who have disclosed their identities when lodging their complaints have given their express consent to receive notifications regarding the status of investigations, to be contacted by the Contact Person, the Complaints Officer, or any or several members of the Board of Directors, in case further information is required, and to receive an answer to the complaint.

7. Grievance management

The Fund will need to be aware of and respond to stakeholders' concerns related to the project/borrower in a timely manner. For this purpose, the Fund will establish a grievance mechanism, process, or procedure to receive and facilitate resolution of stakeholders' concerns and grievances about the Fund's environmental and social performance.

The grievance mechanism, process, or procedure should address concerns promptly and effectively, using an understandable and transparent process that is culturally appropriate and readily accessible to all segments of the affected communities, at no cost and without retribution.

The mechanism should not impede access to other judicial or administrative remedies that might be available under law or through existing arbitration

procedures, or substitute for grievance mechanisms provided through collective agreements.

Grievances should be registered and logged by the Complaints Officer regardless of whether they were received in writing or verbally. The complainant should receive an acknowledgement of the receipt of the complaint within a prescribed and reasonable timeframe, preferably in writing. Lodging a grievance should not incur any cost to the complainant.

Generally, the Fund should allow for flexibility and make sure that grievances are not dismissed on grounds of an administrative formality and/or procedure.

A simple database is often useful to manage and monitor grievances. Good practice is to log all grievances, even recurrent ones or grievances that will eventually be dismissed as unreasonable.

Regardless of the actual establishment of such a database, typically documentation on grievances keeps track of:

- the name and contact details of the complainant, if appropriate
- the date and nature of the grievance
- the name of the technical staff charged with addressing the complaint, if appropriate
- any follow up actions taken
- the proposed resolution of the grievance
- how and when relevant project decisions were communicated to the complainant
- Whether longer-term management actions have been taken to avoid the recurrence of similar grievances in the future, if applicable.

The following indicative timeframe can be used as a guideline for most projects, both for workers' and communities' grievances:

- written acknowledgement of receipt of the grievance: within 7 days of receiving the grievance,
- proposed resolution: within 30 days of receiving the grievance.

Complaints Report Template

Stichting andgreen.fund - COMPLAINTS REPORT						
Reference period: from _____ to _____				Total number of Complaints received during period:		
COMPLAINT No.	SUBMISSION DATE	RESOLUTION DATE	COMPLAINANT	ISSUE	SOLUTION / PROCESS IMPROVEMENT	PERSON IN CHARGE

Date of Report:

Signed by:

Title: Complaints Officer