



## **INTRODUCTION**

In line with the entity's values, the Mumbai Smiles takes a step forward in its journey towards transparency. The Complaint Channel is exclusively aimed at collecting possible inappropriate behavior in the Mumbai Smiles and, therefore, is open to all the organization's interest stakeholders, paid and voluntary personnel, donors and beneficiary population, suppliers and external consultants, etc. and both in Spain or in any of the countries where Mumbai Smiles is implementing projects on the ground.

## **PRINCIPLES**

### **Accessibility**

This channel is easily accessible through the organization's websites, <https://www.sonrisasdebombay.org> and <http://www.mumbaismiles.org> and is open to individuals as well as to groups, companies or other types of institutions. It will be in at least one of the official languages of the country to which it belongs in order to be understood by the interest group that intends to make the complaint.

However, all complaints will be channeled through two designated persons from the governing body.

### **Transparency**

Both the form established to collect complaints and this same internal document will be public. In addition, the staff and other groups related to the organization will be informed.

### **Good faith**

Complaints can be made anonymously if the person complaining so wishes. However, it is necessary to provide a contact form to be able to correctly follow up the incident. If not anonymous, Mumbai Smiles undertakes not to take any disciplinary action or legal action against the issuer of a report in good faith. In the same way, the organization reserves the right to take

[www.mumbaismiles.org](http://www.mumbaismiles.org)



disciplinary measures against any employee or member of the governing body who could retaliate against the complainant in good faith.

### **Confidentiality**

Mumbai Smiles guarantees the confidential treatment of complaints submitted throughout the entire process, whether they were made anonymously or not. However, the data of the people may be referred to the administrative and / or judicial authorities if, as a consequence of the procedure derived from the object of the complaint, they are required. Said transfer will always be made in full compliance with the legislation on personal data protection.

### **Objectivity and impartiality**

The organization guarantees the right to privacy, defense and the presumption of innocence of the persons denounced. The persons in charge of managing the complaint will be appointed by the organization's board of trustees, and under no circumstances may a conflict of interest be generated; if it occurs, they could delegate it to another person on the board. The people belonging to the governing body are aware of the mission, vision and values of the organization however, they are outside the daily management of it.

These people, being at least two, are two different people from the president or secretary of the organization and will receive the form directly from the different institutional websites. In addition, they must expressly accept their consent to be the persons in charge of handling the complaints, with no established limit of duration. You can always renounce to it.

### **Efficiency**

The processing of complaints will be carried out as quickly as possible. However, the organization reserves the right not to admit the complaint for processing in the following cases:

- A. Requests for confidential data: in the case of data regulated by laws or that affect private agreements that require the protection of data of the persons or institutions involved



- B. Malicious requests that clearly violate good faith criteria by being disrespectful in content or form. When there are sufficient reasons or indications to suppose that the complaint has been filed in bad faith, its follow-up will be rejected and the complainant will be informed of it. The Mumbai Smiles Organization could take disciplinary action if it deems it appropriate.
- C. Complaints that provide evidence and proof of facts constituting a crime. If this were the case, the complainant should opt for the judicial route if he deems it appropriate.

### **Process**

The complainant may process his accusation through the following means:

- A) Through an email available on their institutional websites, [www.sonrisasdebombay.org](http://www.sonrisasdebombay.org) and [www.mumbaismiles.org](http://www.mumbaismiles.org) , being this: [denuncias@sonrisasdbombay.org](mailto:denuncias@sonrisasdbombay.org).
- B) Through a personal letter put down in one of our mailboxes.

Only people from the board of trustees will have access to this email, who have previously agreed to guarantee confidentiality

### **Information management**

A record of the requests received will be created, always indicating an assigned code, the date of receipt, information and response date, as well as any subsequent follow-up, if any.

### **Analysis and Resolution**

- The persons appointed by the board of trustees to manage the complaints received will ensure at first whether it is done anonymously or not. If this were the case, it would remove any reference to the complainant in the data submitted.



- Subsequently, the investigation would be carried out, for which they will be able to interview as many people as they deem appropriate in order to gather evidence that evidences or discards the accusation and to be able to make a decision in the most objective way possible: testimonies of affected people, witnesses, written statements, specialist reports, etc.
- A private interview with the accused must always be arranged.
- Once the information has been collected, a report will be prepared with a statement of the facts, evidence collected and conclusions. Said report will be shared with the rest of the people who make up the governing body, as well as the general management of the organization, except if any of these people were the object of the accusation. If the report was not anonymous, it will also be made known to the person who made the report. The board of trustees may take appropriate disciplinary measures or sanctions.
- If the reported case constitutes a crime, it will be brought to the attention of the authorities. The Mumbai Smiles Organization could be presented as a private prosecution if it were affected by the events denounced.
- The Organization undertakes to process complaints as quickly as possible and establishes a maximum period of 30 days to respond. If, exceptionally, a response cannot be given within that period, the complainant will be notified and a new resolution period will be established.
- The statistics of the complaints received will be published on the organization's institutional websites annually, indicating the number of applications received, whether they were rejected or not, and their resolution (internal disciplinary sanctions, legal complaints, etc.)