



# Complaints Handling Policy

## Rationale

Transform Aid International (“TAI”) is committed to providing the highest standards in humanitarian, development and advocacy programs; and working in an effective, transparent and accountable way. In a continuous effort to achieve the highest standards, we strive to meet the expectations of:

- our own organisation including employees, volunteers, Board Members, consultants and contractors
- our supporters/donors
- our partners
- our beneficiaries including all women, men, boys and girls, as well as vulnerable groups, with whom we work
- the general public

We acknowledge that there may be situations when we do not meet our own standards and policies, which has an impact on the above identified stakeholder groups. In these circumstances, they have a right to complain and to have those complaints taken seriously and addressed in a professional and timely manner.

We believe that to improve services provided to supporters/donors, partners and beneficiaries we need to be open to feedback, both positive and negative, from all stakeholders. Receiving a complaint is an important way of learning what is needed to improve our work, so in the case of a complaint, timely and appropriate action will be taken in order to continuously improve the quality of our work and proactively develop and maintain good practice.

We also recognise that we have a responsibility to work with our partners to ensure they also develop safe and effective complaints mechanisms that are accessible to all women, men, boys and girls, as well as vulnerable groups, with whom we work. These communities should be informed of their rights and entitlements and about how to make a complaint.

Complaints which relate to child safe matters and prevention of sexual exploitation, abuse and harassment are handled through specialised policies. If your complaint relates to a child safe matter, please see the Child Safe Policy. If it relates to sexual exploitation, abuse and harassment, please see the Prevention of Sexual Exploitation, Abuse and Harassment Policy.

TAI’s wholly-owned subsidiary, Baptist World Aid Australia, has a separate Complaints Handling Policy.

## Guiding Principles

- A complaint can be made by any stakeholder connected to TAI, including a partner, a local organisation with which we work, our employees, volunteers, Board Members, supporters/donors or a member of the public.



- TAI will welcome and support advocates to lodge a complaint on behalf of children or youth under the age of 18.
- TAI will encourage stakeholders with a complaint to express this through TAI's formal complaints procedure. A complaint can be received by TAI in person, by phone, email, fax or in writing or can be lodged on the TAI website. The policy and process of how to make a complaint and contact information is communicated on the TAI website: [www.transformaid.org](http://www.transformaid.org), and also in the TAI Annual Reports.
- TAI will also make stakeholders aware of their rights to express a complaint to ACFID in relation to a breach of the ACFID Code of Conduct. The process of how to make a complaint to ACFID and their contact information is communicated on the TAI website: [www.transformaid.org](http://www.transformaid.org), and also in the TAI Annual Reports.
- TAI will take all reasonable steps for our complaint handling process to be as visible and accessible as we can practically make it to all complainants.
- TAI will maintain a formal complaints procedure and ensure all complaints are acknowledged, taken seriously, managed discretely and confidentially, and responded to in a timely manner.
- TAI will make it clear to employees, volunteers, Board Members, partners and to the community in program countries that complaints can be made.
- TAI will commit to the practice of continuous improvement, ensuring all suggestions for improvement are considered and implemented, where applicable.

## Definitions

A **complaint\*** is an expression of dissatisfaction or concern regarding TAI, our employees, volunteers, Board Members, contractors, partners or anyone else acting on our behalf in relation to TAI's work, products or services; where a response or resolution may be explicitly or implicitly expected.

A **Complainant** means a person, organisation or its representative, making a complaint.

**Complaints Handling Officer** means the delegated TAI person (currently the Supporter Engagement Manager) responsible for facilitating the address and resolution of complaints.

**HRGC** means the Human Resources & Governance Committee of the Board of TAI.

**ACFID** means "Australian Council of International Development", the peak body representing Australian International Development Agencies that promotes good development practices, transparency and integrity.

**ABM** means Australian Baptist Ministries (formerly Baptist Union of Australia), the peak body for Australian Baptist Communities, of which TAI is an Affiliated Body (<http://www.baptist.org.au/page/4/>).

An **Inquiry** means a request for information or an explanation.

**Feedback** means opinions, comments, suggestions and expressions of interest in the work/services/products or the complaint handling process.

A **Stakeholder or interested party** means a person or group having an interest in the performance or success of TAI.

\*A complaint may include (but is not limited to) matters such as:



- Unfair, inappropriate or incorrect conduct
- Any breach of TAI policies
- Any breach of the ACFID Code of Conduct
- Concern over inappropriate use of funding
- Concern from a member of the public or supporter/donor about a particular fundraising approach or marketing campaign
- Timeliness of responses to queries
- Concern over the quality of program delivery
- Concern from a beneficiary in relation to one of our programs
- Behaviour or decisions of employees
- Organisational practices, policies or procedures
- Threat of or actual legal/insurance action, or a protracted dispute that requires escalation, received from corporations or related entities subject to our advocacy work as a result of our advocacy work.

Examples of what is not a complaint:

- A general query about TAI's work
- A request for information
- A contractual dispute
- A request to amend personal records, for example, to correct an address, or cancel a donation
- A request to unsubscribe from regular TAI communication, for example, a campaign newsletter or email
- Disagreement with our advocacy work by corporations or related entities subject to our advocacy work, unless the disagreement is threats of or actual legal/insurance action, or a protracted dispute that requires escalation
- Complaints against another organisation or employee of another organisation

## **Scope of Policy**

This policy covers complaints in relation to the following:

- Actions or behaviour of TAI as an organisation
- Actions or behaviour of a TAI partner
- Behaviour of a TAI Board member, employee, volunteer or contractor

We will address all complaints received in an equitable, fair, confidential and unbiased manner using evidence submitted by both the complainant and other involved persons through the complaint handling process. The complaint may cover a range of issues, which may or may not be addressed separately. It may include an issue of how the complainant was treated by another person, or be more relating to access to a project activity, project resources or process.



If a complaint is outside of the scope of this policy, or related policies (e.g. Child Safe Policy, Grievance Policy or PSEAH Policy), TAI will endeavour to refer the complainant to an appropriate place.

The complainant is to be advised they can also make a complaint directly to:

- Australian Council of International Development's ("ACFID") Code of Conduct Committee regarding an alleged breach of the ACFID Code of Conduct, to which TAI is a signatory
- Australian Baptist Ministries (formerly Baptist Union of Australia)

## Training of Policy

Our Complaints Policy has been distributed to all our employees, volunteers, Board, partners, contracted service providers and all others acting on our behalf. We require all those who may be involved in any way with a complaint to formally signify their commitment to this policy.

We will provide induction training to our relevant employees, volunteers and Board so they have the knowledge and understanding of the policy, and application of appropriate procedures, including the need to provide a safe, fair, responsive, accessible and transparent environment in which complaints can be made, addressed in a professional and effective process, and resolved in a timely manner.

Training will also be provided following an update or change to the Policy.

## Publicising the Policy

We make clear the value we place on receiving concerns and complaints in all relevant communications. Our website has a link with the words "Complaints Policy" that provides information on how to make a complaint. The contact details of the Complaints Handling Officer and ACFID's Code of Conduct Committee are also provided in our Annual Report.

We endeavour to make our complaints handling processes as easy as possible. We will take complaints in person, by telephone (02 9921 3308) or in writing ([complaints@transformaid.org](mailto:complaints@transformaid.org)). We will assist a complainant to put their complaint in writing, as appropriate.

If the issue is still not resolved to the reasonable satisfaction of the complainant, or if the complaint involves the CEO, then the complaint may be formally referred to the Chairperson of the Board in writing ([boardchair@transformaid.org](mailto:boardchair@transformaid.org)).

Complaints received in relation to our Advocacy work via telephone or in writing will be handled by the Advocacy Manager and the CEO, and reported to the Complaints Handling Officer.

Relevant communications explaining our complaint policy and handling procedures can be found on our website [www.transformaid.org](http://www.transformaid.org), annual reports, and organisational manual, covering:

- where or to whom complaints can be made
- information to be provided by the complainant
- the process for handling complaints
- time periods associated with various stages in the process
- the complainant's options for accessing relevant external bodies (ie ACFID and ABM)
- how the complainant can obtain feedback on the status of the complaint



We recognise that the beneficiaries of our International Partners may not have the tools and technologies necessary to access our Complaints Handling Policy. We will endeavour to work with our International Partners (where appropriate), to reach a mutually agreeable and practical implementation of processes that create awareness of, and access to, our Complaints Handling Policy.

We will monitor how effectively we are publicising our complaints policy on a regular basis.

## **Types of Complaints**

### **1. Operational and Sensitive Complaints**

Operational complaints may involve TAI employees, volunteers, Board members or external stakeholders questioning or objecting to issues such as geographic and sectoral priorities, strategic approaches, focus groups, choice of partners and adherence to programmatic policies and procedures.

Sensitive complaints may include, but are not limited to, allegations of harassment or bullying, sexual exploitation and abuse, fraud and corruption or other forms of gross misconduct.

### **2. Anonymous Complaints**

We recognise that, at times, people who have genuine concerns cannot speak out because of special circumstances and may wish to lodge a complaint to a specific person without revealing their identity in the normal manner. In such circumstances, the TAI Complaints Handling Officer can initiate an investigation if it is evident that there are grounds for further action and in an effort to ensure a safe and abuse-free environment.

### **3. Frivolous Complaints**

It is expected that all complaints are made in good faith and are not motivated by intent for personal gain, personal interest or a grudge. However, should a subsequent investigation reveal a complaint to be frivolous, for example, an accusation that the complainant knows to be false, any investigation underway will be terminated immediately and the complaint closed. If a frivolous complaint is made by a TAI Board member, employee or volunteer, disciplinary measures will be taken.

### **4. Advocacy Complaints**

Advocacy complaints are threats of or actual legal action, or a protracted dispute that requires escalation, from corporations (or related entities) in relation to our advocacy work. Enquiries as to our research process, requests for cessation of campaigning or disagreements with our work and its publicity do not meet the definition of complaint under this policy. This is due to the inherent agitative nature of advocacy, where we request change and place pressure on a person or organisation that may not otherwise make such a change.



## Determining the Need for an Investigation

Not every operational complaint needs a formal investigation. Some operational complaints can be resolved to the complainant's satisfaction through two-way communication between the complainant and the person who received the complaint. The Complaints Handling Officer will decide if the allegation needs to be investigated.

The decision process will include consideration of the following:

- Does the complaint constitute a 'complaint' as defined in this Policy?
- Does it relate to a breach of TAI policies and procedures and/or the ACFID Code of Conduct?
- Is there enough factual information to investigate?
- Will an investigation put the lives of the complainant or subject of complaint or their families at risk, and if so, can all reasonable steps be taken to ensure those risks are minimised?

The Complaints Handling Officer will make the best judgment giving due consideration to the welfare of those involved, as well as TAI's commitment to its guiding principles, accountability and transparency. If a formal investigation is required, it will follow the key steps and processes as outlined below in the section "Complaints Handling and Investigations".

## Complaints Handling and Investigations

### A. Operational Complaints

- a) See the Complaints Handling Flow Chart for the process of handling a complaint.
- b) The complaint process shall be confidential.

### B. Sensitive Complaints

- a) If suspected wrongdoing (for example, sexual abuse, fraud, bribery, harassment) is identified by or brought to the attention of an employee, volunteer or Board member the person will immediately report it to the Complaints Handling Officer or, if the allegation is against the CEO, it will be formally referred to the TAI Chairperson in writing.
- b) If the complaint relates to a Child Safe Matter (such as concerns relating to the safety or wellbeing of a child including child exploitation and abuse allegations, the possession of child exploitation material, and/or other concerns of Safeguarding Code of Conduct or Child Safe Policy non-compliance) then please refer to the specialised Child Safe Policy and the Child Safe and SEAH Allegation Management Procedure.
- c) If the complaint relates to the sexual exploitation, abuse or harassment (SEAH) of an adult, then please refer to the specialised PSEAH Policy and Child Safe and SEAH Allegation Management Procedure.
- d) This policy does allow that a person who may have a conflict with another (e.g. because of inappropriate, but not illegal, behaviour) can first try to resolve the issue directly with that other person. TAI encourages this approach to resolving issues among employees and colleagues, as long as it done in a fair, safe and appropriate manner.



- e) If the allegation is brought to the Complaints Handling Officer, he or she will inform TAI's CEO in writing (unless the complaint is against the Chairperson, in which case the Vice-Chairperson will be contacted).
- f) If the wrongdoing involves criminal activity, the Complaints Handling Officer will immediately inform the CEO, who may conduct an investigation within a reasonable timeframe; and if there are grounds to substantiate the allegation, the CEO will immediately report the matter to the appropriate external authorities. In serious cases of criminal activity (such as sexual assaults, stalking, violence, intimidation, threats or the like) that staff should immediately call the police.
- g) The complaint process shall be confidential.
- h) If the complaint is not considered a frivolous complaint, the person making a sensitive complaint will be supported by TAI Management and Board.
- i) It is mandatory that all sensitive complaints be reported as outlined in (a) above. Failure to report suspected wrongdoing of this nature may be grounds for disciplinary measures.

### **C. Advocacy Complaints**

This section applies only to advocacy complaints as defined on pages 3 and 5-6.

- a) The complainant shall, where appropriate, first attempt to resolve the issue by bringing it to the attention of the Advocacy Manager and CEO.
- b) If the issue is still not resolved to the reasonable satisfaction of the complainant, then the complaint may be formally referred to the Chairperson of the Board in writing.
- c) The Chairperson will determine either to present the complaint to the Human Resource & Governance Committee ("HRGC") for their consideration, or include the matter as an agenda item at a scheduled Board meeting.
- d) The decision of the HRGC or the Board will be final and binding.
- e) The complaint process shall be confidential.

## **Complaints Procedures – Partner Organisations**

Complaints by TAI employees, volunteers or Board members against an employee of a TAI Partner Organisation, or against the organisation itself, will be referred to the Partner's Management or someone with delegated authority to handle complaints within that organisation.

Complaints by an employee of a TAI partner organisation or the partner itself, against a TAI employee, volunteer or Board member, or TAI as an entity, will be received and addressed using the processes outlined above.

## **Timeframe for Response**

When a formal complaint is received, an initial letter of acknowledgement will be sent to the complainant within five (5) days. Similarly, the Subject of the Complaint (if an individual) will also be advised that a complaint has been lodged against them.

In normal circumstances, the complaints process should have commenced and been completed within 30 days after receipt of the complaint, including a formal written response to the complainant, as well as the Subject of the Complaint. The broad categories of response will be:



- Dismissal of the complaint
- Referral of the Complainant to a more appropriate body, such as ACFID's Code of Conduct Committee
- Uphold the complaint and outline steps that will be taken to rectify the situation.

In the case of legal and insurance complaints we will make every endeavour to abide by the above timeframes, however we acknowledge that the nature of these matters may require more flexibility.

## **Responding to and Closing a Complaint**

Depending on the nature of the complaint and against whom it was made, the correspondence will be either signed by the CEO or TAI Chairperson as appropriate. We will communicate our decision on a complaint as soon as is practical. Our communication will be in writing in the appropriate language by email or post. However, where appropriate such as in the case of a complaint being made by a local community member (in the field) we will endeavour to communicate our decision verbally and in the appropriate language.

We will encourage the complainant to respond and advise whether or not they are satisfied with our decision. If the complainant is not satisfied with our decision, we will be prepared to consider any additional information they may provide and to review our decision. In all cases we will advise that the complaint may be referred to ACFID's Code of Conduct Committee. We will provide all necessary information for referral to the Code Committee and offer assistance as appropriate.

## **Recording of Complaint Information**

We will request that the following information is contained in written complaints:

- Date of complaint
- Details of the services or goods and/or practice or procedure complained about
- A description of the complaint and relevant supporting data
- The requested remedy
- A due date for a response

In the case of verbal complaints, we will record additionally to the above, the following information:

- Date complaint was made
- To whom complaint was made

The Complaints Handling Officer will ensure the complaint is recorded in TAI's Complaints Register and will record any immediate action taken to resolve the complaint.

## **Reporting**

The Complaints Handling Officer will develop a report of the types of complaints received and the status of their resolution regularly at our quarterly Executive Team Meetings and quarterly Board Meetings. The findings and recommendations will inform policy decisions and management processes.

Our Annual Report will provide appropriate information on complaints without disclosing sensitive information.



## Confidentiality and Support

Information that identifies the complainant or the Subject of the complaint (where an individual) should only be disclosed to the appropriate people within the organisation. Such information should be actively protected, unless the complainant expressly consents to its disclosure.

TAI is committed to providing appropriate assistance and referrals to complainants. Where appropriate this may include medical, social, legal and financial assistance, or referrals to such services.

## Review and Continuous Improvement

We will continuously monitor the effectiveness of our complaint handling policies and processes, and introduce improvements as appropriate.

We will conduct a comprehensive review of the efficiency and effectiveness of our complaint handling policies and processes every three years.

## Related Policies and Procedures

This Policy should be read in conjunction with the following:

- Child Safe Policy
- Child Safe and SEAH Allegation Management Procedure
- Prevention of Sexual Exploitation, Abuse and Harassment Policy
- Grievance Policy
- Disciplinary Policy
- Policy Development Policy
- Policy Development Procedure

## Document Control Information

Complaints Handling Policy	
Owner	Director of Community Engagement
Master Copy	Policy QA Coordinator
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Date last reviewed	07/02/2017
Signed off by Director of Community Engagement	11/12/2019
Approved by Executive	23/12/2019
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<b>Date</b>	<b>Version</b>	<b>Revision Description</b>	<b>Reviewed / Updated by</b>
2011	1	BWAA version created	Director of Business
04/06/2015	2	BWAA version updated	Director of Business
19/09/2016	3	TAI version created. Updated contact information for Complaints Handling Officer	Policy QA Coordinator
03/11/2016	4	Updated Guiding Principles to make Policy child friendly	HR Advisor/ Policy QA Coordinator
09/11/2016	5	Added sentence about Board Chair taking complaints regarding CEO	Policy QA Coordinator
23/01/2017	6	Added definition and examples of what is and is not a complaint. Explained procedure for handling advocacy complaint.	Policy QA Coordinator
07/02/2017	7	Expanded complaint definition to include complaints that do not require a response. Amended process for dealing with operational complaints to refer to Complaints Handling Flow Chart. Amended CHO definition to reflect 'facilitator' role. Changed timeframe section to allow for different timeframes for legal/insurance complaints.	Policy QA Coordinator
01/11/2019	8	Updated to align with ACFID and DFAT PSEAH requirements	Policy QA Coordinator