

Anglican Board of Mission – Australia
Anglicans in Development Ltd

Policy ABM1011/AID1010
Complaints Handling

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Introduction

ABM and AID welcome *Feedback* and are committed to handling *Complaints* promptly and appropriately according to their content and severity.

ABM and AID will enable transparent, fair, confidential, accessible, and documented *Feedback* and *Complaints* handling procedures that prioritise the needs, expectations, and rights of complainants. See *B2004 ABM/AID Complaints and Critical Incident Handling Procedures*.

Scope

This Policy applies broadly to anyone outside or inside the ABM/AID organisation who wishes to make a complaint regarding ABM/AID. Within the broader concept of Complaint covered under this policy, there are more specific kinds of complaint dealt with in ABM/AID's related policies or procedures:

- Those making complaints from inside ABM or AID should follow ABM/AID's *Grievance Procedure*, where a workplace Grievance is involved.
- See also ABM/AID's *Whistleblower Policy* which sets out ABM's and AID's commitments, and obligations upon ABM and AID Personnel, where a serious

wrongdoing by ABM or AID has occurred or is suspected or alleged to have occurred.

Complaints may be made about anything for which ABM/AID are responsible and may include, but are not limited to:

- Dissatisfaction by a Partner or community with any aspect of ABM's or AID's programs or projects;
- Concern by a member of the public or ABM/AID supporter about a fundraising approach;
- Concern about fraud, corruption or misuse of funds by ABM, AID or their partners funded by ABM or AID (See ABM/AID's *Fraud and Corruption Policy*);
- Concern about the behaviour of any ABM or AID Personnel, including illegal or unethical behaviour;
- Breaches of ABM's/AID's *Child Protection or Prevention of Sexual Exploitation, Abuse and Harassment* policies;
- Concerns about breaches by ABM or AID Personnel of any of ABM's/AID's policies or Code of Conduct.

Definitions

ABM or AID Personnel

Refers to ABM or AID employees, volunteers, members of the ABM and AID boards or other governing bodies of ABM and/or AID.

ABM or AID Associates

Persons representing or acting on behalf of either ABM or AID. These include but are not limited to and contractors to ABM or AID (or to their Partners), ABM or AID's Partners and participants in ABM's pilgrimages.

Complainant

The person, organisation, or its representative, making a Complaint. This may be anyone, and includes, but is not limited to:

- Staff or volunteers from ABM and AID and ABM's/AID's Partner organisations
- Communities or individuals involved in any projects funded by ABM or AID
- Other stakeholders affected by ABM or AID-funded projects
- Donors or other stakeholders in the Australian community
- The Anglican Church and Church community
- ABM and AID Personnel (but see also ABM's/AID's *Whistleblower Policy and Grievance Procedure*)

Complaint

An expression of dissatisfaction made to or about ABM or AID, about their activities, programs, or *Personnel*. In the broadest sense, it also includes *Critical Incidents*. See also *Critical Incident Report*.

Complaints Officer

A person designated to receive *Complaints* and *Critical Incidents*. The *Complaints Officer* may receive *Complaints* (or Critical Incident Reports) regarding breaches of ABM/AID's *Child Protection and Prevention of Sexual Exploitation, Abuse and*

Harassment policies (in which cases the *Complaints Officer* will immediately inform ABM/AID's *Safeguarding Focal Person*).

Critical Incident

An event which may have serious consequences. It includes any alleged, suspected or actual breach of ABM's/AID's Code of Conduct, the law, or anything which has harmed or could harm a person, or which may have significant legal, insurance or risk consequences for ABM/AID. A Critical Incident may involve Serious Misconduct of an ABM or AID *Personnel* or *Associate*, or other person/s.

Critical Incident Report

Report of a *Critical Incident* (see also *Complaint*).

Feedback

Opinions, comments or suggestions about ABM or AID, their work, or their Complaints-handling process.

Grievance

A clear, formal, written statement by an ABM or AID staff member about another staff member or a work-related problem.

Investigator

A person or organisation appointed by ABM or AID to investigate a Complaint.

Partner

An organisation with whom ABM or AID has a formal funding agreement.

Safeguarding Focal Person

A person designated to receive Complaints in cases of breaches of ABM's/AID's *Child Protection and Prevention of Sexual Exploitation, Abuse and Harassment* policies.

Subject of a Complaint

The person against whom a Complaint has been made.

Whistleblowing

Complaints made by ABM or AID Personnel, Partners, or associates, about alleged, suspected or actual wrongdoing by ABM/AID or any of its Personnel, for example, acts that are unlawful, unethical, or which breach ABM's/AID's Code of Conduct.

Witness

A person who provides testimony or evidence during an investigation of a *Complaint* or *Critical Incident*, including, but not limited to, a *Victim/Survivor* of a *Critical Incident*, the *Complainant*, and the *Subject of a Complaint*.

Victim/Survivor

A person who has been harmed by a *Critical Incident*.

Policy

A ABM/AID will have an Accessible Incident Reporting Process

1. Anyone may make a Complaint to ABM/AID, by any means, including verbally, in writing, by telephone, in person, via a third party, or via social media.

ABM's/AID's contact details are:

- a. Email to complaints.officer@abmission.org.au (or, for Safeguarding issues, safeguarding@abmission.org.au)
 - b. Mail to:
ABM/AID Complaints Officer (or Safeguarding Focal Person)
Anglican Board of Mission, Australia
Locked Bag Q4005,
Queen Victoria Building, NSW Australia 1230
 - c. Telephone +612 9264 1021 and ask for the Complaints Officer (or Safeguarding Focal Person)
 - d. Fax: +61 2 9261 3560
2. ABM/AID will make information available to all persons about their *Complaints* policy and related procedures. This will normally be via the ABM/AID website but will also be included in formal annual *Partner* agreements, and made available to communities with which AID works, through Partners, on projects. ABM and AID will assist those who require assistance to make a *Complaint*, to do so.
 3. For activities conducted with *Partners* ABM/AID will use their best endeavours to ensure that *Partners* introduce and maintain *Feedback* and *Complaints* handling policies and processes which, to the extent permitted by law, mirror those of ABM/AID and provide for *Partners* to inform ABM/AID when *Complaints* are made and keep ABM/AID informed of progress in handling them. Such *Feedback* and *Complaints* handling policies and processes must enable communities with which AID works, and particularly people most vulnerable and marginalised within those communities, to make complaints to AID's *Partners*, or directly to AID or ABM, safely and confidentially.

AID will support its *Partners* to identify and train a *Safeguarding Focal Person* in their organisations to be a point of contact and to support *Complainants* as required.

4. ABM/AID will ensure that requirements for filing a *Complaint* or *Critical Incident* take into consideration the needs of the most vulnerable and consider minority and disadvantaged stakeholders.
5. ABM/AID will provide an accessible, safe and discreet point of contact for any person to raise concerns or complaints about the organisation. For most kinds of *Complaints* this is the ABM/AID Complaints Officer, but for *Complaints* or *Critical Incident Reports* about breaches of ABM's/AID's *Child Protection* and /or *Prevention of Sexual Exploitation, Abuse and Harassment* policies, the preferred point of contact is ABM's/AID's *Safeguarding Focal Person*. If such a *Complaint* or *Critical Incident* comes first to the *Complaints Officer*, s/he will immediately inform the *Safeguarding Focal Person*.
6. If a person wishes another person or organisation to assist or represent them in making a *Complaint*, ABM/AID will communicate with such *Complainants* through their representative/s. Anyone may represent a person wishing to make a complaint or report a *Critical Incident*, providing they have the *Complainant's* consent. This could be an advocate, family member, legal or community

representative, Member of Parliament or another person or organisation.

7. ABM/AID will accept anonymous *Complaints* and *Critical Incident Reports* if there is a compelling reason to do so (such as safety of the *Complainant*) and will carry out a confidential investigation of the *Complaint* or *Critical Incident* providing sufficient information is given.
8. *Critical Incident Reporting* forms will include the following information:
 - Name of person providing the report (unless they have asked for anonymity) and how they may be contacted;
 - A description of what has happened, when and where;
 - Names of the parties involved (unless anonymity has been requested);
 - Names of witnesses and other involved parties, and how they may be contacted.¹
9. *Complainants* will be provided with information about ABM's/AID's *Complaints*-handling processes, will be listened to and treated respectfully by the person receiving the *Complaint* or *Critical Incident*, and will be provided with reasons for ABM's or AID's decision/s and any option for redress or review.
10. ABM and AID will take all reasonable steps to ensure that people are not adversely affected because a *Complaint* or *Critical Incident Report* has been made by them or on their behalf.
11. All *Critical Incidents* will be reported immediately to ABM's/AID's Executive Director and *Complaints Officer* (except for Safeguarding incidents, when the *Critical Incident* will be reported to the *Safeguarding Focal Person*).

B ABM/AID will Respond Appropriately to Feedback, Complaints and Incidents

12. Where a complaint makes an allegation of serious misconduct against a member of ABM's/AID's staff, a volunteer or member of a governance body, ABM/AID will decide whether the subject of the complaint is to be assigned to other duties, stood down, or if the matter is to be referred to the police.
13. ABM and AID will equip their *Personnel* with an understanding of ABM/AID's approach to *Complaints* and *Critical Incident* response and assist them to implement the policies and procedures effectively. This will include specific guidance for responding appropriately to concerns or allegations from children. Staff will receive regular training on all of ABM's/AID's *Complaints* and *Critical Incident* mechanisms.
14. ABM/AID will acknowledge the receipt of *Complaints* and *Critical Incidents* within two days.
15. ABM/AID will assess and prioritise a *Complaint* or *Critical Incident* according to the urgency and seriousness of the *Complaint/Critical Incident*. Where the *Complaint/Critical Incident* relates to an immediate risk to safety or security,

¹ An Incident Reporting Form is attached to this Policy as Attachment 1.

ABM/AID will respond immediately and will appropriately escalate the *Complaint/Critical Incident* appropriately.

16. All *Complaints* and *Critical Incidents* will be reviewed, but ABM/AID may decide not further investigate *Complaints* or *Critical Incident Reports* which have been found to be vexatious, or have been made in bad faith, or without serious intent, or are already the subject of legal proceedings. In such cases ABM/AID will respond to the *Complainant* with reasons why the *Complaint* is not being further investigated. At the review stage, a *Complaint* may be resolved to the satisfaction of the *Complainant*, without the *Complaint* needing to be taken further.
17. Personal information that identifies individuals will only be disclosed or used by ABM/AID under relevant privacy laws. All information about a *Critical Incident* will be filed with access restricted to authorised staff.
18. Where a *Critical Incident* involves multiple organisations, ABM/AID will work with those organisations to ensure, where possible, clear and coordinated communication with the *Complainant/s* or their representative/s.
19. Where ABM/AID is notified of a *Complaint* that falls outside of the scope of this policy (such as a *Complaint* against an employee of another organisation, or a government department) ABM/AID will advise that organisation or department and advise the *Complainant* accordingly.

C ABM/AID will Investigate Incidents Appropriately

20. ABM/AID will enable a clear mechanism for quickly determining if the *Complaint* is a *Critical Incident*, and, if so, will ensure that the *Critical Incident* is acted upon urgently and that ABM's/AID's Executive Director is informed immediately. A decision may need to be made as to whether the *Critical Incident* may need to be referred to external investigation, including to the police.
21. Incidents involving breaches of ABM's/AID's *Fraud and Corruption Policy* will be reported both to the Executive Director and to the Chair of the ABM/AID Finance Committee, and the Chair will be kept informed of the progress of the investigation.
22. All *Critical Incidents* (except those referred to the police) will be investigated by a nominee of the ABM/AID Executive Director. The Investigator may be internal to ABM/AID or external and will be someone with no involvement in the *Critical Incident*. The *Investigator* will report directly to the ABM/AID Executive Director unless there is a conflict of interest in which case the *Investigator* will report to the Chair of the relevant ABM or AID Board.
23. *Critical Incident* Investigations will be transparent, fair and confidential, involving only relevant parties.
24. *Critical Incidents* involving the ABM/AID Executive Director will be investigated by a nominee of the Chair of the relevant ABM or AID board.

25. Investigations will comprise the following process which will include the production of a written report of the *Critical Incident* and recommendations to ABM or AID board and ABM/AID Management:
- a. Information gathering, including from all parties involved, timelines and evidence.
 - b. Analysis of the factors that contributed to the *Critical Incident*.
 - c. Recommendations (including any disciplinary procedures, any actions to address any harm done, or the impact of the *Critical Incident*, taking into account fairness, reports to relevant authorities, and potential legal action if crimes are alleged; and any further investigation required if systemic problems are revealed).
 - d. Risk management (including steps to be taken to mitigate the risk of similar Incidents happening again – this may include change in policy or procedures and staff training).

The Investigation may find that the *Complaint/Critical Incident Report* was vexatious or false and recommend no further action.

26. Progress reports relating to an Investigation will be communicated to the *Complainant* in a timely manner. The outcome of an Investigation will be communicated to all relevant parties by the ABM/AID Executive Director in writing.
27. Where a *Critical Incident Report* indicates an immediate safety concern for anyone involved, interim safety measures will be taken pending the completion of the Investigation.
28. ABM/AID will triage allegations of criminal offenses appropriately in order not to jeopardise criminal investigations, using guidance based on the Core Humanitarian Standard for Investigations (2015)²

D ABM/AID's Critical Incident Responses will be Centred on the Survivor/Victim

29. For all *Critical Incidents* involving the safety of persons, whether child or adult, ABM/AID will take a *Victim/Survivor-centred* approach, which prioritises the needs of the *Victim/Survivor*, whilst taking into account notions of fairness and due process. This means that *Survivors'* wishes, safety, rights, dignity and well-being are prioritised throughout ABM's/AID's whole response to the *Critical Incident*.
30. Subject to the provisions of 29 above, ABM/AID will be responsive and fair to all persons who are parties to a *Critical Incident*, without discrimination and without recrimination against *Complainant/s*.
31. When a *Critical Incident* involves a breach of ABM/AID's *Child Protection, Prevention of Sexual Exploitation, Abuse and Harassment, or Fraud and Corruption* policies in relation to a project funded by the Department of Foreign Affairs and Trade (DFAT), or where there is a potential reputation risk to DFAT,

² CHS Alliance, 2015, *Guidelines for Investigations*. Found at <https://www.chsalliance.org/get-support/resource/guidelines-for-investigations/>. Accessed 12/10/19.

DFAT will be informed of the *Critical Incident* according to the following time-frames:

- a. **Immediately** for Child Protection incidents and any reports of non-compliance with ABM/AID's (or DFAT's) *Child Protection* policy.
 - b. **Within two days** for incidents involving Sexual Exploitation, Abuse or Harassment, and **within five days** for reports of non-compliance with ABM/AID's (or DFAT's) *Prevention of Sexual Exploitation, Abuse and Harassment* policy).
 - c. **Within five days** for Fraud incidents.
32. Where a *Critical Incident* Investigation shows that any ABM/AID *Personnel* have committed acts of Serious Misconduct, ABM/AID will institute appropriate disciplinary action, as per their relevant *Workplace Guidelines*, which may include dismissal.

E ABM/AID will Support Survivors

33. ABM/AID is committed to supporting people who have been subjected to any form of harm or mistreatment by any ABM/AID *Personnel*. Such support includes, but is not limited to, referral to safe medical services, psychosocial counselling, specialised children's or women's services, and legal redress where appropriate. There is no time limit on such support.

F ABM/AID will be Accountable and Learn from Complaints and Critical Incidents

34. *Complainants* who are not satisfied with the outcome of the investigation of a *Complaint* or *Critical Incident Report* have a right to appeal to ABM/AID for a review of the response.
35. ABM/AID will make public, including on its website, the external bodies and networks to which ABM/AID is accountable. These include the Australian Council for International Development (ACFID) Code Secretariat, the Department of Foreign Affairs and Trade (DFAT), the Australian Charities and Not-for-Profits Commission (ACNC), Action by Churches Together (ACT) Alliance, the Australian Church Agencies Network (CAN) and the Australian Church Agencies Network Disaster Organisations (CAN DO).
36. The ABM/AID Executive Director will report a summary of all *Critical Incident Reports* and investigations and their outcomes to the ABM and AID boards.
37. Following an investigation, ABM/AID's *Complaints Officer* or *Safeguarding Focal Person* (as appropriate), and relevant ABM/AID Managers will continue to monitor the environment under which the *Complaint* occurred until any recommendations have been implemented and evaluated. Feedback on the process will be sought, where possible, from the parties to the *Complaint* or *Critical Incident Report* to identify where any improvements can be made.

38. ABM and AID will maintain a process for reviewing and analysing information available from feedback, *Complaints* and *Critical Incidents* raised with them with a view to improving delivery of their services and performance of their obligations. Likewise, they will continue to review the effectiveness of their *Complaints Handling* processes, with a view to improvement.

Compliance with ACFID Code of Conduct

AID is a signatory to the ACFID Code of Conduct and will advise potential *Complainants* of the ability to make a *Complaint* regarding an alleged breach by ABM or AID of the Code to the ACFID Code of Conduct Committee, at www.acfid.asn.au/code-of-conduct/complaints-and-compliance-monitoring. This information is posted on ABM/AID's website.

Review

This Policy will be reviewed by 2022.

Relevant ACFID Code of Conduct Indicators

This policy complies with the following ACFID Code of Conduct Compliance Indicators:

- 1.4.3, 'Members have a documented child safeguarding incident reporting procedure and complaints handling procedure that aligns with principles of privacy and promotes safety and dignity'.
- 1.5.1, 'Members demonstrate their organisational commitment to the prevention of sexual exploitation and abuse'.
- 7.3.3, 'Members enable stakeholders to make complaints to the organisation in a safe and confidential manner'.
- 9.2.2, 'Members enable staff and volunteers to make complaints and report wrongdoing through fair, transparent and accessible procedures'.

Related ABM/AID Policies and Procedures

B2004 ABM/AID Complaints and Critical Incidents Handling Procedure

ABM/AID1011 Child Protection Policy

B1011 Child Protection Reporting Procedure

ABM/AID1021 Prevention of Sexual Exploitation, Abuse and Harassment Policy

ABM/AID2002 Whistleblower Policy

B2003 Grievance Procedure

AID1008 ABM/AID Code of Conduct

AID1001 Fraud and Corruption Policy

Policy History	
Name of Policy	Date Adopted
External Complaints Procedure	April, 2012
Feedback and Complaints Policy	December, 2015
Complaints Policy	December, 2019
AID1010 Complaints Handling Policy	Accepted by AID Board April 2021

APPENDIX 1: COMPLAINTS RECORD FORM

All complaints should be recorded on a separate form. Forms should then be saved in one central, safe and secure location in the office of the Executive Assistant.

People may submit a complaint on another piece of paper, or electronically, or they may give a verbal complaint to a staff member. The staff member should then write that complaint on this 'Complaints Record Form' and submit it to the appropriate person.

Date: Date complaint is received	
Staff member/volunteer who received the complaint: Which staff member or volunteer first heard or collected this complaint?	
Personal details of complainant (person making the complaint): Name, contact details, if appropriate. If the complainant wishes to remain anonymous, no detail is to be recorded here.	
Nature of complaint: What issue is this complaint related to?	
Details of complaint: A detailed description of the complaint the person has made	
Who dealt with it: Name of person who is or has responded to the complaint	
How it was dealt with: Action taken to handle the complaint	
Outcome: Outline of what has happened as a result of the complaint	
Follow-up required: Any action required as a result of the complaint. This may include a change to your organisation's procedures and policies	

Form Completed by (Name):

(Signature):

Viewed by (Executive Director): (Name):

(Signature):