

Complaints Handling Policy

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. For details of this process, see *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.
- ABM/AID's Whistleblower Policy sets out ABM's and AID's commitments, and the obligations of ABM and AID Staff, Volunteers and Responsible People, where a serious misconduct or wrongdoing by ABM or AID or any of its Workplace Participants 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 or issue;
- 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 *Workplace participants* 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 *Staff, Volunteers* or *Responsible People* of any of ABM's/AID's policies or Code of Conduct.

Policy Commitments

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:

Email:

complaints.officer@abmission.org.au (or, for Safeguarding issues, safeguarding@abmission.org.au)

Mail:

ABM/AID Complaints Officer (or Safeguarding Focal Person)
Anglican Board of Mission, Australia
Locked Bag Q4005,
Queen Victoria Building, NSW, Australia 1230

Telephone:

+612 9264 1021 and ask for the Complaints Officer (or Safeguarding Focal Person)

Fax: +61 2 9261 3560

Note: The *Safeguarding Focal Person* can assist with an investigation but is not the primary point of contact for a *Complainant*. The *Complaints Officer* can ask the *Safeguarding Focal Person* to assist, and the *Safeguarding Focal Person* is responsible for ensuring the incident and progress in its investigation is reported to the relevant ABM/AID board.

- 2 ABM/AID will make information available to all persons about this *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 through *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 ABM/AID works, and particularly people most vulnerable and marginalised within those communities, to make *Complaints* to the relevant *Partner/s*, or directly to AID or ABM, safely and confidentially.
- 4 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.
- 5 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*.
- 6 ABM/AID will provide an accessible, safe and discreet point of contact for any person to raise concerns or *Complaints* about the organisation/s. This point of contact is the ABM/AID *Complaints Officer*. 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 *Complaints Officer* should also

inform ABM's/AID's *Safeguarding Focal Person*.

- 7 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 identified representative/s. Anyone may represent a person wishing to make a *Complaint* or report a *Critical Incident*, providing they have the *Complainant's* written consent. This could be an advocate, family member, legal or community representative, Member of Parliament or another person or organisation.
- 8 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.
- 9 *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.
- 10 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 following an investigation, and given options for redress or review.
- 11 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.
- 12 All *Critical Incidents* will be reported immediately to ABM's/AID's Executive Director and (for safeguarding incidents, the *Complaints Officer* will also inform ABM/AID's *Safeguarding Focal Person*).

B ABM/AID WILL RESPOND APPROPRIATELY TO FEEDBACK, COMPLAINTS, AND INCIDENTS

- 13 Where a Complainant makes an allegation of serious misconduct against a member of ABM's/AID's staff, a volunteer or member of a governance body, or against an *ABM/AID Associate*, 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.
- 14 ABM and AID will equip their *Personnel* to understand 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.

- 15 ABM/AID will acknowledge the receipt of all *Complaints* and *Critical Incidents* within two days.
- 16 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, ABM/AID will respond immediately and will escalate the *Complaint/Critical Incident* appropriately. See also ABM/AID's Child Protection and Prevention of Sexual Exploitation, Abuse and Harassment Policy.
- 17 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.
- 18 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.
- 19 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.
- 20 Where ABM/AID is notified of a *Complaint* or *Critical Incident* 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 COMPLAINTS AND CRITICAL INCIDENTS APPROPRIATELY

- 21 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* needs to be referred to external investigation, including to the police.
- 22 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.
- 23 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.

- 24 *Critical Incident Investigations* will be transparent, fair and confidential, involving only relevant parties.
- 25 *Critical Incidents* involving the ABM/AID Executive Director will be investigated by a nominee of the Chair of the relevant ABM or AID board.
- 26 *Critical Incident 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* that may be 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 (but is not limited to) changes 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.

- 27 Progress reports relating to an *Investigation* will be communicated to the *Complainant* in a timely manner and the timing of such reports will be discussed with the complainant at the time of the complaint being made. The outcome of an *Investigation* will be communicated to all relevant parties by the ABM/AID Executive Director in writing.
- 28 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*.
- 29 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).

D ABM/AID'S CRITICAL INCIDENT RESPONSES WILL BE CENTRED ON THE SURVIVOR/VICTIM

- 30 Where a *Complaint* involves actual or suspected abuse or exploitation of children or vulnerable adults the person receiving the *Complaint*, or suspecting the incident has occurred, must take immediate steps to ensure the safety of the child or vulnerable adult (ie a child must be removed from harm's way). ABM/AID will respond immediately.
- 31 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 *Victim/Survivors'* wishes, safety, rights, dignity and well-being are prioritised throughout ABM's/AID's whole response to the *Critical Incident*.

- 32 Subject to the provisions of 31 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*.
- 33 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, 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 business days** for incidents involving Sexual Exploitation, Abuse or Harassment, and **within five business days** for reports of non-compliance with ABM/AID's (or DFAT's) *Prevention of Sexual Exploitation, Abuse and Harassment* policy).
 - c. **Within five business days** for all Fraud incidents.
- 34 Where a *Critical Incident Investigation* shows that any *ABM/AID Workplace Participant* has committed acts of Serious Misconduct, ABM/AID will institute appropriate disciplinary action, as per their relevant Workplace Guidelines, Contract or Board Charter, which may include dismissal.

E ABM/AID WILL SUPPORT SURVIVORS

- 35 ABM/AID are committed to supporting people who have been subjected to any form of harm or mistreatment by any *ABM/AID Workplace Participant*. 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

- 36 *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 outcome.
- 37 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).
- 38 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. Reports related to safeguarding breaches will be made as part of the regular quarterly

reporting to both boards by the *Safeguarding Focal Person*.

- 39 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 in 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.
- 40 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, including this policy, with a view to improvement.

Reporting to ACFID Code of Conduct Committee

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.

Related Standards, Policies and Procedures

ACFID Code of Conduct, especially 1.4.3, 1.5.1, 7.3.3 and 9.2.2
DFAT Accreditation Guidelines, especially A2.3, A2.4, A3.1, A3.2 and C3.3
ABM-AID Complaints and Critical Incidents Handling Procedure
ABM-AID Safeguarding Policy
ABM-AID Child Protection Reporting Procedure
ABM-AID Whistleblower Policy
ABM-AID Grievance Procedure
ABM-AID Code of Conduct
ABM-AID Financial Wrongdoing Policy