

Complaints and Feedback Policy

Introduction

AOA is committed to providing the highest standards in humanitarian, development and advocacy work in a transparent and accountable way. AOA strives to meet the expectations of all AOA parties¹, partners, local community members, donors and supporters. AOA recognise that there may be times when these expectations are not met. In such instances people and organisations have a right to complain and have those complaints taken seriously and addressed in a professional and timely manner. AOA encourages all feedback.

Purpose and Scope of the application

This policy covers complaints in relation to the following:

- Complaints from or about AOA parties or the organisation as an entity
- Complaints from or about AOA partners
- Complaints from AOA donors and supporters
- The documentation of incidents, and the management, reporting and investigation of complaints, and
- Locally-led community-based complaint mechanisms.

Complaints not addressed by this policy

AOA is not able to address complaints where we have no association with or authority to act in relation to the subject of the complaint. Complaints related to partner organisations staff grievances, performance issues, employment and labour matters, are dealt with exclusively by partner organisations in accordance with local legislation and their organisational policies and procedures. In such cases, AOA management will refer the complaint to the appropriate channels.

International and National Frameworks

- *The Australian Council for International Development (ACFID) Code of Conduct*
- *DFAT PSEAH Policy*

Guiding Principles

AOA supports the following principles in dealing with complaints:

¹ This Policy applies to Board members, staff, contractors and volunteers of AOA. From here on, these groups will be collectively referred to in this policy as 'all parties'

- A “do no harm” approach, AOA will give priority to the rights, needs, and wishes of the complainant while ensuring procedural fairness to all parties.
- Visibility. AOA will clearly publicise and promote information about how and where to make a complaint or report, including to partners and in communities in which we work.
- Accessibility. The complaints handling process should be as accessible as practicable to all complainants.
- Timelines. Complaints will be responded to in a timely way, according to AOA’s predetermined timeframes.
- Fairness. All complaints will be addressed in an equitable and unbiased manner using evidence submitted by both the complainant and AOA personnel through the complaints handling process.
- Cost. Access to the complaint handling process is free of charge to complainants.
- Confidentiality. AOA will observe strict confidentiality in complaint handling and investigation
- Accountability. AOA will ensure clear lines of reporting on complaints.

Definitions

A complaint is a formal expression of dissatisfaction or discontent, and/or misconduct, made by an individual or organisation internally or external to AOA about the standards of service, actions or lack of action by AOA parties. A complaint requires a response. The complainant is a person, organisation or its representative, making a complaint. A complaint must be about an action for which AOA is responsible or which is within scope of influence. Complaints could include:

- Concern from someone we work with about the quality of program delivery
- Concern about the behaviour of staff, including abuse of power.

A complaint does NOT include:

- A query about AOA’s work
- A request for information, or
- A comment not requiring any specific action or organisational response.

Feedback is any positive or negative informal statement of opinion about someone or something, an opinion shared for information but not with the intention of lodging a formal complaint. For example, if a supporter calls with a concern about the volume of fundraising requests they receive in the mail, this is classed as ‘feedback’. If the supporter wishes to lodge it as an official complaint, it must be recorded and documented in the complaints and feedback register.

Types of Complaints

Operational and sensitive complaints

Operational complaints may include questioning or objecting to issues such as geographic and sectoral priorities, strategic approaches, AOA Policies, choice of partners and adherence to programmatic policies and procedures. Sensitive complaints may include, but are not limited to, allegations of bullying, child protection incidents, sexual exploitation, abuse or harassment, fraud and corruption, terrorism financing or other forms of gross misconduct.

Anonymous complaints

AOA recognises that, at times, people who have genuine concerns cannot speak out because of special circumstances and may wish to lodge a complaint about a specific person or issue without revealing their identity. Because such complaints can alert us to problems that need an investigation, AOA will respect the complainant’s wishes, however it may not be possible to provide a remedy to an individual in such circumstances.

Malicious Complaints

AOA expects that all feedback and complaints are made in good faith. If an investigation finds that an accusation was deliberately made falsely with the aim of causing harm, the investigation will be stopped. Frivolous and vexatious complaints will not be investigated.

All work undertaken as part of the Church Agencies Network Disaster Operations (CAN DO) will follow the CAN DO Standard Operating Procedure for the inter-agency reporting mechanism. See CAN DO, Standard Operating Procedure.

Implementation

It is mandatory for all parties to report and document all communication regarding sexual assault, abuse, exploitation, harassment, criminal activity or a child protection matter as a complaint. AOA will also document all misconduct incidents even if the management response is informal or assessed as a minor complaint, considering the wishes and welfare of the victim/survivor.

Accessing the complaints mechanism

AOA's website includes a 'complaint' link providing information on how to make a complaint and how to view this policy. Where literacy is a constraint, AOA will invite and receive complaints orally. In doing so, AOA will act in a way that is culturally appropriate recognising that in some cultures people require greater encouragement to make a complaint.

Sensitive complaints, child protection and sexual exploitation, abuse and harassment

If an allegation concerning any form of suspected or alleged abuse, exploitation or harassment against a child or adult is made by or brought to the attention of an AOA party, the complaints mechanism outlined in the HR 21 Child Protection Policy or HR 28 PSEAH Policy must be utilised. Any AOA party who fails to report suspected wrongdoing of this nature may incur disciplinary action.

Sensitive complaints, bullying

If an allegation concerning any form of bullying made by or brought to the attention of an AOA party, the complaints mechanism outlined in the HR 10 Bullying Policy must be utilised.

AOA commits to providing appropriate assistance to complainants by providing physical and mental health referrals and offering to provide pastoral care. See HR policy including HR 21 Grievances Policy and HR 22 Workers Compensation and Care. AOA is registered with the Employees Assistance Scheme (EAP) facilitated by LifeWorks. The EAP can be accessed by any AOA staff member anytime, free of charge and confidentially.

LifeWorks can be contacted on

Phone: 1300 543 396

Email: lifeworks@lifeworks.com.au

Sensitive complaints, fraud and corruption

If an allegation concerning any form of suspected or alleged fraud, corruption or terrorism financing is brought to the attention of an AOA party member, the complaints mechanism outlined in the HR 18 Fraud and Corruption Policy or DP 13 Terrorism Policy must be utilised. Failure to report suspected wrongdoing of this nature may incur disciplinary action.

Grievances

If an AOA party member has a grievance rather than a sensitive complaint against another AOA party the complainant should enact the reporting process as per HR 21 Grievances Policy. AOA encourages this approach to resolving non-sensitive disputes among staff and colleagues.

Operational and Communication/Advocacy Complaints

AOA receives complaints verbally in person or by telephone and in writing by post, email or online via our website. Where complaints are made verbally, AOA will ensure the report clearly states all information the complainant wishes to provide. Complaints may be made by a friend or advocate (but excluding a legal or paralegal representative) of the complainant on their behalf. AOA will take special care to facilitate complaints from vulnerable populations including children and marginalised groups. If required, the use of pictorial means of communication will be provided.

Taking a complaint

If possible, the CEO or member of the Senior Executive team will take complaints.

When taking a verbal complaint, the AOA staff member will:

- identify herself/himself, listen, record details, and determine what the complainant wants
- confirm that she/he has understood and received the details
- show empathy for the complainant, but not attempt to take sides, lay blame, or become defensive.

For all complaints AOA will:

- make an initial assessment of the severity of the complaint and the urgency of the action
- clearly explain the course of action where:
 - the complaint is out of AOA's jurisdiction;
 - AOA decides not to investigate;
 - preliminary enquiries need to be made; or
 - the complaint is accepted for investigating.
- not create false expectations, but will assure the complainant that the complaint will receive full attention;
- give an estimated timeframe, or if that is not possible, a date by which the complainant will be contacted;
- check the complainant is satisfied with the proposed action and, if not, advise them of alternatives;
- ensure that the complaint is appropriately acknowledged;
- provide ongoing and final feedback to the complainant;
- follow up where necessary, and monitor whether the complaint is satisfied;
- register the complaint in the Complaints Register.

AOA will ensure that a complainant is not required to express their complaint to a person implicated in their complaint. AOA will also ensure that a person implicated in a complaint is not involved in any way with the handling of that complaint.

Some operational complaints can be resolved to the complainant's satisfaction through communication between the complainant and the CEO or delegated Senior Executive Team member. Either of these two parties must decide if the allegation needs to be investigated. AOA will make every reasonable effort to investigate all the relevant circumstances and information surrounding a complaint. The level of investigation will be commensurate with the seriousness and frequency of the complaint. All misconduct complaints will be recorded, and actions taken in accordance with this Policy.

Assessment

The CEO or a member of the Senior Executive Team (as delegated) will decide if a complaint warrants an investigation. Decisions on serious complaints must be referred to AOA's governing board. AOA will first assess whether there is more than one issue raised in the complaint and whether each needs to be separately addressed, accepted or rejected.

To determine how a complaint should be managed, AOA will assess the complaint in terms of the following criteria:

- severity;
- health (including mental health) and safety implications;
- financial implications for the complainant or others;
- complexity;
- impact on the individual, public and organisation;
- potential to escalate; and
- the need for, and possibility of immediate action;
- the need to advise ACFID and/or DFAT.

Triage

If the assessment determines a complaint as significant in terms of one or more of these criteria, AOA will classify the complaint accordingly and the complaint will be immediately referred to the CEO and the Board. All complaints will be reported at fortnightly Executive Team meetings and at the next Board meeting. Minor complaints will be reported in summary form, and major complaints will be reported in detail. The AOA Annual Report will provide de-identified information on complaints.

Responding and closing a complaint

AOA will communicate the decision on a complaint as soon as practical. Communication will be in writing in the appropriate language by email and/or post. AOA will encourage the complainant to respond and advise whether or not they are satisfied with the outcome. AOA will advise that if a complainant is not satisfied, it will be prepared to consider any additional information the complainant can supply and may review its position. In all cases complainants will be advised that the complaint may be referred to the Code Committee of ACFID. AOA will provide all necessary information for referral to the Code Committee and offer to assist in the referral.

Inquiries, minor (non-sensitive) complaints and jurisdiction

AOA will endeavour to deal immediately with inquiries and minor complaints which are made orally by telephone or in person that is, during the initial phone call or meeting. However, as far as possible, AOA will ensure that the complainant is completely satisfied with the information and/or resolution provided.

On receipt of a complaint AOA will also attempt to determine expeditiously whether investigation is required, whether it has jurisdiction, and whether the complaint is properly conceived.

If the complainant disputes an assessment that a complaint should not be investigated, the member of staff handling the complaint will refer it to a more senior colleague for review. If such a dispute cannot be resolved AOA will refer the complainant to ACFID.

Timeframes

AOA will acknowledge written complaints within 5 business days. AOA will acknowledge verbal complaints immediately and aim to resolve complaints as quickly as possible and within 30 days unless there are exceptional circumstances. If a complaint is not resolved within 30 days, AOA will inform the complainant of the progress and keep them regularly updated until the matter is resolved.

Feedback

AOA will ensure that the complainant and all relevant personnel are informed of the outcomes of complaints and the implications for our services, procedures and processes.

AOA will take all required remedial action and will be open to change the way it operates and improve or undertake further training of staff where appropriate. Where needed AOA will counsel or discipline staff or

volunteers and will consult and take advice from ACFID and/or other relevant regulatory/enforcement authorities.

Confidentiality

AOA will not reveal a complainant's name or personal details to anyone unnecessarily. It may refer a matter to an external investigation to review a complaint or to law enforcement authorities if it believes that a crime may have been committed. All feedback and complaints will be registered in a secure Complaints and Feedback register. Where provided, and as per the wishes of the complainant, AOA will ensure that the following information is contained in written complaints:

- date of receipt of complaint;
- a description of the complaint and relevant supporting data;
- the requested remedy;
- the service(s) and or good(s) and/or practice or procedure complained about;
- the due date for a response;
- immediate action taken (if any) to resolve the complaint;
- in the case of verbal complaints, as much as possible of the above information will be recorded.

Continuous improvement

On a continuing basis AOA will monitor the effectiveness of our complaint handling and make improvements as appropriate. AOA will maintain data on complaints for the purpose of identifying trends and enhancing information management and services provided and will endeavour to keep abreast of best practices (both locally and overseas) regarding complaint handling and undertake specific training of staff to foster better complaint handling practices. AOA is committed to strengthening its culture of accountability and reporting; AOA staff in collaboration with partners will facilitate training in relevant reporting mechanisms.

Complaints Procedures, Partner Organisations

Complaints by AOA employees, volunteers or Board members against an employee of an AOA Partner, or against the partner 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 an AOA partner organisation or the partner itself, against an AOA employee, volunteer or Board member, or AOA as an entity, will be received and addressed using the processes outlined above. The AOA Programs Team will provide information to partners, about this reporting and complaints procedure. The Programs Team will work with partners to contextualise and translate incident reporting and complaint forms including implementing community-complaints mechanisms within projects accessible to members of the communities where activities are implemented.

Review

This policy and related procedures will be reviewed no later than June 2023, by the Finance Manager and CEO.

References	ACFID Code of Conduct AOA Personal Code of Conduct HR 28 PSEAH HR12 Child Protection HR 10 Bullying HR 6 Whistleblowing HR 22 Workers Compensation and Care
Appendices	Complaints & Incident Reporting Form

Complaints & Incident Reporting Form

Please fill out as many sections as possible with as much detail as you can. This form is confidential.

If there is more than one complainant, please complete a separate report for each person or complainant. Law enforcement authorities will be notified where a crime may have been committed or where deemed necessary, by senior management in consultation with the CEO and Board Chair.

In some instances, disclosures will be necessary to properly investigate a matter, or to ensure procedural fairness. The wishes and welfare of the complainant will be considered in determining next steps.

The purpose of this Report Form is to report all complaints to assess and determine the next course of action.

Complaint/Feedback Type

Sensitive complaints

- Child Protection
- PSEAH
- Bullying or Harassment

Type of abuse, circle as many types as appropriate:

- Sexual Abuse/Harassment (e.g., fondling, kissing, sexual activity, rape)
- Exploitation (e.g. sex trafficking, forced prostitution, survival sex, transactional sex, child labour)
- Emotional Abuse (e.g. intimidation, threats, humiliation, bullying)
- Physical Abuse (e.g. hitting, kicking, shaking)
- Other (please specify)

Non-sensitive complaints and incidents

1. Reported by

Does the Reporter wish to be identified?

Yes No

If yes, fill in reporter name and contact information:

First Name: _____ Last Name: _____

Date Reported: Month _____ Date _____ Year _____

Address (include suburb, city, state and country):

Phone Number (include the area code or country code):

Email:

Name of Organisation:

Job Title:

Preferred method of contact:

How was the report received: *(please circle)*

Phone Email ACFID Post In Person (witnessed incident, whistleblower or person affected)
Safeguarding Letter Box Other (please specify)

2. Identification of complaint

How did the reporter become aware of this incident? Witnessed it? Other (*specify other*)

2.1 Safety of person affected

- Was the person affected in immediate danger prior to completing this form?
Yes No
- Were the proper authorities and senior management contacted (as appropriate)?
Yes No

Please provide any additional information:

3. Identity of person affected

First Name:

Last Name:

Unknown (*circle if you are unable to provide the identity of the person affected.*)

Approximate age:

Gender:

Is the person affected a child or an adult? Child Adult

4. *Only applicable to sensitive reports. If not a sensitive report, go to #5.

Does the Child or vulnerable adult have a known Caregiver/Guardian/Relative:

First Name:

Last Name:

Unknown: (*circle if you are unable to provide the caregiver/Guardian/Relative's identity.*)

Physical Address:

(*Examples include: name of village, street name, city, house, building*)

Phone Number Include the area code or country code:

Email:

Approximate age:

Gender:

Physical and Emotional state of person affected:

(Circle all that apply) cuts, bruises, welts, scratches, behavioural changes (e.g., angry, crying, acting out, withdrawn, sudden illness)

Describe the physical and emotional state of the person affected:

4.1 Person against whom the complaint is made

First Name:

Last Name:

Unknown *(circle if you are unable to provide the suspect's identity.)*

Phone Number *(include the area code or country code):*

Email:

Approximate age:

Gender:

Physical Description of Suspect:

Physical Address:

Unknown (if applicable)

Name of Organisation:

Job Title:

5. Incident Details

Location/s of alleged incident:

Address/Physical location of incident:

Country: *(Examples include: name of village, street name, city, house, building).*

Approximate Date of Incident: Month_____ Date _____Year _____

Does the person affected have an impairment or disability? If yes, describe:

Describe what happened below in as much detail as possible:

(Write over text)

Notes to Staff Member taking complaint:

- *If complaint involves yourself or you perceive a conflict of interest, please pass to AOA CEO or member of Executive Team immediately to address with the Complainant.*
- *be empathetic and listen, but do not take sides or lay blame*
- *get as much detail as possible regarding the complaint*
- *ensure cultural and gender sensitivities are taken into account*
- *If complaint is Child protection or PSEAH related, inform complainant the matter will be escalated and with an investigation commencing immediately.*
- *For non-sensitive complaints inform complainant that AOA will respond within 5 business days.*

Must include details of any conversation with the complainant

Outcome expected by complainant:

Investigation Process (for AOA Senior Management only)

Time and Date received _____

Action taken:

***Attach all documentation**

Response given by AOA to complainant:

Entered on Complaints Register: Yes

Assessment Made: Minor / Major

Reason for assessment: *(circle as appropriate)*

Severity Child Protection PSEAH Bullying/Harassment Health & Safety
 Financial Impact Others/Organisations

Referred to for action: _____ (Name) _____ (Position)

Date: _____ Response Required by: _____

Reported to Executive Team Meeting: _____ (date)

Reported to Board: _____ (date)

Summary of investigation: *(attach separate pages if necessary)*

Outcome: *(attach separate pages if necessary)*

Response to Complainant: Written Date: _____

Verbal Date: _____ *(only if minor and resolved at time of complaint)*

Complainant satisfied with response: Yes / No

Date Investigation closed _____

Were pastoral care or other referrals offered to or provided to the person affected? Yes / No

Describe pastoral care or referrals provided to the person affected:

Follow up required with complainant: Yes / No

If Yes, detail what and when by: _____

Referred to ACFID: Yes / No

Investigator: _____ (name) _____ (position)

Complaint closed on (date): _____

Please sign this report and print your name and your position in the organisation

Signature: _____ **Date:** _____

Name: _____ **Position:** _____