

Policy number	8	Version	1
Drafted by	Michael Coleman	Approved by Board on	18/07/2018
Responsible person	AMS Board	Scheduled review date	27/02/2019

INTRODUCTION

Australian Marist Solidarity Ltd. (AMS) is committed to addressing issues of concern and/or complaints raised by staff, volunteers, project partners, direct or indirect beneficiaries of AMS projects/activities and any other persons or parties. AMS recognises the importance and value of listening to and responding to concerns and complaints, and is committed to achieving the highest standard in every area of work.

DEFINITIONS/TERMINOLOGY

Complaint: A formal expression of dissatisfaction or concern. For the purpose of this document, a complaint may be related to (but is not limited to):

- Projects and/or activities funded or delivered by AMS
- Staff, volunteers or directors of AMS

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

Inquiry: A request for information or an explanation.

Feedback: Opinions, comments, suggestions and expressions of interest in the service or the complaint handling process.

Stakeholder or interested party: A person or group having an interest in the performance or success of the organisation.

PURPOSE

To ensure that all persons affiliated with AMS, including staff, project partners, beneficiaries, stakeholders and any other person or parties, especially the most vulnerable, minority and disadvantaged stakeholders, including children, have a clear and specified avenue through which complaints can be made. AMS places value on receiving concerns and complaints as an important way of learning and improving on its delivery of aid and development programs.

SCOPE

This policy is intended to apply to any complaint, regardless of who makes it. AMS will accept complaints related to AMS staff, volunteers, directors and anyone else working on the organisation's behalf. Complaints may be made by project partners, direct or indirect beneficiaries of AMS projects and/or activities, community stakeholders, donors, grant providers and any other persons or parties. A complaint may also be made by AMS staff, volunteers or directors.

POLICY

AMS encourages complainants to undertake a formal complaints resolution process without concern of retribution, direct or indirect discrimination. AMS will ensure that requirements for filing a complaint take into consideration accessibility by and the needs of the most vulnerable, including children, minority groups and disadvantaged stakeholders. AMS will hold paramount the principle of fairness and will undertake a full investigation into all complaints. At all stages of the complaints resolutions process, AMS will treat

COMPLAINTS HANDLING POLICY

complainants respectfully, courteously and sensitively, with due recognition of cultural or other barriers that may impact a complainant's access to justice. AMS will ensure complainants are provided with the opportunity to be heard and that they have an understanding of the AMS complaints resolution process.

In the case of project beneficiaries overseas and in Australia, AMS will work with project partners to facilitate this understanding. Complainants have the right to utilise a support person, advocate and/or interpreter.

AMS will ensure systems are in place and resources available to handle and respond to all complaints. AMS will endeavour to manage complaints received in a timely, fair and confidential (where legislative requirements allow) manner.

AMS will ensure that its practices aim to avoid actions that give cause for complaints to be made. This includes continuous improvement of organisational practice through relevant training of staff, volunteer and directors.

RELATED POLICIES

- This policy should be read in conjunction with the *AMS Child Protection Policy*.
- AMS Whistleblower Policy

MONITORING & REVIEW OF POLICY

AMS will undertake a review of this policy in accordance with the AMS Policy Review Process as it appears in the *AMS Operations Manual* or sooner if required. This audit will be undertaken by the Chief Executive Officer and reviewed by the AMS Board of Directors.

AUTHORISATION



Signature of Board Secretary



Name of Board Secretary



Date of approval by the Board

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RESPONSIBILITIES

The AMS Board is responsible for developing, adopting and reviewing this policy.

The AMS Chief Executive Officer is responsible for the implementation of this policy and these procedures, for monitoring changes in Privacy legislation, and for advising on the need to review or revise this policy and these procedures, as and when the need arises.

PROCEDURES

1. To ensure complaints are managed quickly and effectively, all complaints are directed to the Chief Executive Officer. Where a complaint is made about the Chief Executive Officer, this will be directed to the Chair of the AMS Board of Directors. At all times, it is the responsibility of the Chief Executive Officer or the Chair of the AMS Board of Directors, as the case may be, to take immediate action on a complaint whenever possible.
2. When the Chief Executive Officer or the Chair of the AMS Board of Directors is unable to take immediate action, he/she will ensure a timely action plan is implemented for the complaint received. This action plan is to occur within 7 days of the initial complaint receipt.
3. AMS will receive complaints in writing, orally in person or by telephone, by post, email or online via the AMS website. Where a verbal statement is made, appropriate notes will be taken and the complainant will be requested to sign the document.
4. A complaint may be lodged anonymously however, AMS's ability to investigate such complaints is limited.
5. As AMS has a primary focus on young people, all project partners will provide children who participate in their programs with information on how to make a complaint according to this policy. Such information will also be visible and accessible to children in an appropriate format or medium.
6. Project beneficiaries and other stakeholders will be made aware of their right to lodge a complaint through AMS's project partners. AMS is committed to working with project partners to develop culturally meaningful and contextually relevant mechanisms for explaining this complaints policy.
7. Some of AMS's existing project partners have a complaints policy in place. AMS will encourage and assist all project partners to develop their own complaints policies in the local language.
8. AMS and its partners will observe strict confidentiality in complaints handling. All complaints will be registered and stored securely by the Chief Executive Officer.
9. For all complaints, AMS will seek from the complainant the outcome/s they are expecting and make an initial assessment of the complaint. AMS will not create false expectations, but will assure the complainant that the complaint will receive full attention. An estimated timeframe will be given to the complainant.

10. All complainants will be advised of their right to have a support person, friend, advocate and/or interpreter present when lodging a complaint. This person may or may not have a prior connection with AMS.
11. A complainant is permitted at any time to withdraw a complaint except when action needs to be taken in relation to a breach of specific legislative requirements and/or abuse or alleged abuse of a child.
12. Where a complaint relates to the abuse or alleged abuse of a child, the Chief Executive Officer is compelled to take action under the AMS Child Protection Policy.
13. The Chief Executive Officer is compelled to report all complaints to the AMS Board of Directors, including outcomes.
14. The principles of procedural fairness (natural justice) will be observed¹. In particular, where adverse comment about a person is likely to be included in a report, the person affected will be given an opportunity to comment beforehand and any comments will be considered before the report is finalised.
15. Outcomes of complaints are reviewed by a select panel of the AMS Board (the Finance & Risk Committee), who may or may not engage an independent person to assist.
16. If complainants remain discontented with the outcome of the complaints process, they are to be advised of the appropriate external channels to lodge their complaint and the appropriate external advocacy body. Where complaints are lodged by persons or parties overseas, AMS will work with its project partners in the local community in providing this advice.
17. AMS is a signatory to the Australian Council for International Development (ACFID) Code of Conduct. Complaints alleging breaches of the ACFID Code of Conduct can be made to the ACFID Code of Conduct Committee via the ACFID website:

www.acfid.asn.au/code-of-conduct/complaints

AUTHORISATION

Allen Sherry

Name of CEO, AMS



Signature of CEO, Australian Marist Solidarity (AMS)

19. 07. 2019

Date of approval by the Board

¹ Natural justice and procedural fairness do not require that the person affected be informed of the identity of the person making the initial disclosure, unless that communication constitutes part of the evidence relied upon in making the eventual finding.