

# Complaints Policy & Procedure

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## Document Control

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## Revision History

| Version Number | Status | Date      | Author          | Authorised By | Remarks                   |
|----------------|--------|-----------|-----------------|---------------|---------------------------|
| 1.0            | Policy | 21/11/18  | Nina von Stebut | Board         | Refresh of initial Policy |
| 1.1            | Policy | 20/8/2021 | Nina von Stebut | CEO           | Review                    |

## Related Policies

- Whistleblowing Policy & Procedure
- Employee Grievance Policy & Procedure
- Organisational Inclusion Policy

'Whistleblowing' means the reporting of suspected misconduct, illegal acts or failure to act according to Our Code.

The aim of this Policy is to **encourage employees and others** who have **serious** concerns about any aspect of our work to come forward and voice those concerns where they feel other reporting mechanisms are not appropriate.

The **Grievance Policy** enables **staff, interns and volunteers** to lodge a claim with regard to any **employment matter** or if h/she feels adversely affected by the misinterpretation or misapplication of any of our ChildFund policies.



A **complaint** is an expression of dissatisfaction, related to the standards of service, actions or lack of action by ChildFund Australia.

**Anybody affected** by our programs, including children and youth, members of the public, partners and supporters, child sponsors and other donors may raise a Complaint.

## Purpose

Receiving feedback and responding to complaints are important ways for ChildFund Australia (ChildFund) to improve performance and to be accountable to our many stakeholders. ChildFund recognises the value of raising a complaint as an important tool in understanding and responding to stakeholder expectations. Ensuring that our stakeholders can hold us to account will improve the quality of our operations and behaviour and bring greater impact.

## Scope

Complaints may come from community members affected by our programs, including children and youth, members of the public, partners and supporters including child sponsors and other donors. ChildFund is committed to the timely and fair resolution of complaints.

## Exclusions

This Policy does not cover complaints by staff, interns, and volunteers. These are governed by the 'Whistleblower Policy & Procedure' or the 'Grievance Policy & Procedure'.

## Definitions

**Stakeholders** are all external parties including ChildFund supporters, beneficiaries, children, youth and their families, contractors, consultants, partners, suppliers, and service providers.

**Partners** refers to organisations that ChildFund works with in the delivery of project or country services.

**Staff** refers to permanent or contract employees of ChildFund

**Child/Children** (sometimes also referred to as our "beneficiaries"). A child is any individual under the age of 18, irrespective of local country definitions of when a child reaches adulthood.

**Primary Focal point** for all complaints is the Public Engagement department in Sydney or as designated in Country Offices. They will be the primary body responding to general complaints and referring matters as appropriate and in line with policy and procedure.

**A complaint** is defined as an expression of dissatisfaction about the standards of service, actions including behaviour or lack of action by ChildFund. It could be:

- a criticism relating to one of our development programs by a community member, including children and youth, partner, or government official
- dissatisfaction from a supporter, such as a child sponsor, about an aspect of service
- criticism about a fundraising action or campaign
- concern about the behaviour of staff, volunteers, contractors, suppliers, partners or others acting on ChildFund's behalf.

## Policy Statement

ChildFund will ensure that stakeholders, including children and youth, have clear and accessible means to make a complaint. ChildFund will respond to complaints in a fair and timely manner. Any person raising a complaint will be treated respectfully, kept informed and supported in exercising their right to make a complaint without fear of discrimination. Stakeholders also can make an anonymous complaint. ChildFund respects the right of stakeholders to make an anonymous complaint if needed. They might use our [anonymous complaints mechanism](#) or choose to go through external authorities to do so.

## Policy Principles

- Stakeholders in Australia and in countries where we work have a right to complain
- children and youth are key stakeholders, and procedures need to recognise their situation and context
- complaints' procedures are to be well publicised and accessible to all stakeholders in the appropriate language through our website and internally on our common computer drives and project locations
- complaints provide feedback that can help identify areas that may need improvement
- complaints handling procedures are to be used as an opportunity to enhance our relationships with stakeholders
- complainants should be treated with respect and without prejudice, while recognising the need to be fair to both the complainant and the organisation or person being complained about
- complaints should be dealt with in a timely, responsive, confidential, and fair manner. ChildFund commits to scrutinise the case upon receipt of the initial allegation and take immediate action in cases where this is deemed warranted (e.g., child exploitation suspicions, serious fraud suspicions)
- if a complaint is not resolved and the person who raised the complaint remains dissatisfied, they have a right to appeal and must be informed of this right
- regular, at least annual training of the complaints policy and procedures will be put in place across ChildFund offices. ChildFund will keep complaints register in each country office.

## Policy in Action

### Confidentiality

Only those stakeholders directly involved in making or investigating a complaint will have access to information about it. However, when a matter is investigated it may be necessary to reveal its substance to people such as other ChildFund personnel, external persons involved in the investigation process and, in appropriate circumstances, law enforcement agencies. Where there is a suspicion of criminal offence, the matter should be reported to the appropriate law enforcement agency even before the investigation is concluded and be guided by such an agency as to the appropriate actions.

At some point it may also be necessary to disclose the fact and the substance of a report to the person who is the subject of the complaint.

ChildFund will take reasonable precautions to store any records or files relating to a complaint securely and to permit access by authorised only.

### **Impartiality**

Each party to the complaint will have the opportunity to present individual accounts of the complaint. No assumptions will be made, and no action will be taken until all relevant information has been collected and reviewed.

### **Timely**

All complaints will be dealt with in a timely manner, as quickly as possible.

### **Complaints Mechanisms**

ChildFund will ensure that stakeholders, including children and youth, have appropriate and authentic means to express complaints and suggestions, and will put in place procedures, mechanisms, guidelines, and training to ensure this.

Even if a complaint appears to be without foundation or is difficult to understand in the form that it is received, all staff are under an obligation to take reasonable steps to clarify the complaint and obtain additional information that will assist in the assessment and ultimate resolution of the complaint.

Many complaints will be raised informally and dealt with quickly by staff. An informal approach is usually appropriate and should be used as often as possible. Staff to whom a complaint is made can offer solutions consistent with their normal level of authority. Where the likely solutions appear to require approval from a higher authority, or if requested by the person who raises the complaint, the matter can be referred to a higher staff level.

If complaints cannot be satisfactorily resolved informally, the 'formal complaint handling procedure' will be followed (see below).

## **Publication of the Policy**

In Australia and in ChildFund Country Offices this Policy or an appropriate extract will be made available to the public through the website, by verbally informing stakeholders of the Policy where appropriate and/or by providing copies of the policy on request. Copies of the Policy in Country Offices will be made available in relevant local languages and explained in local language and shared in the operational locations (at community centres and Schools etc.).

## **Complaints in ChildFund Program Countries**

Due to the specific nature and/or geographical location of their activities, ChildFund's Country and regional senior managers are responsible for responding to complaints relating to ChildFund's operations in that country. Country offices are responsible for ensuring the partners that we work with have adequate complaint policy mechanisms in place. Country Offices may develop additional procedures to fulfil the objectives and principles of the Policy including putting in place appropriate mechanisms for children, youth, minorities and most vulnerable and/ or key stakeholders to express complaints in a practical and safe manner. Country offices and partners will use best endeavours to ensure that primary stakeholders have been engaged in the development of complaints mechanisms that are felt to be more appropriate for the community and context in which our work is taking place.

If the complaint is about the Country Director or ChildFund Pass It Back Director, complaints should be directed to the Global Programs Director in charge in the Sydney office.

Receiving complaints in country can be done in a range of ways and decisions must be made (in conjunction with the local community as appropriate) as to what is most appropriate. In order to establish what the complaint is and its validity, interpreters might be needed. Some complaints about programs and/or staff ways of working may not be able to be resolved easily, and in-country staff may require additional support from the Sydney office.

## Complaints in Australia

Complaints can be received by the following methods:

- telephone
- letter
- facsimile
- email
- in person
- social Media and website
- through comments and feedback on surveys.

To ensure consistency of response and to manage complaints effectively, ChildFund's Public Engagement department will be the primary body responding to general complaints in Australia (focal point). The Public Engagement Department will make sure that these complaints are either resolved or referred on to the relevant manager or department.

## Formal Complaints Handling Procedure

When a complaint cannot be resolved quickly and informally or is determined by the staff person receiving the complaint to be of a very serious nature or if a stakeholder requests a formal response, the following procedure should be used.

Every complaint will be handled in a positive manner and the person who raises the complaint will be always treated respectfully. If the Person raising the complaint is a child or youth, particular care and attention will be given.

| What                             | Action   | Who                               |
|----------------------------------|--|-----------------------------------|
| Complaint Lodged                 | Take Record of: <ul style="list-style-type: none"> <li>→ Name of the person/s making the complaint</li> <li>→ Date, time and location the complaint is received</li> <li>→ Brief description of the complaint</li> <li>→ Decide who should handle the complaint (staff encouraged to handle the complaint themselves within their level of authority &amp; if they feel able dealing with it. If not, refer to next level manager).</li> </ul>   | Staff Member                      |
| Complaint Handling               | Actions will occur in a timely manner and a brief record of the actions taken. <p>The complainant will be notified of actions being taken as appropriate.</p> <ul style="list-style-type: none"> <li>→ <b>If the complaint is resolved, relevant information will be shared with involved parties and case closed.</b></li> <li>→ <b>If the complaint is deemed to be of a serious nature it will be reported and / or escalated within 24 hours. For example, a child-safeguarding and PSEAH complaint would be deemed serious.</b></li> </ul>  | Staff Member or Manager           |
| Escalation 1 <sup>st</sup> level | Complaints that have not been resolved to the satisfaction of complainant will be referred to the next level for review and may: <ul style="list-style-type: none"> <li>→ reconsider the original decision and take additional corrective action.</li> <li>→ overturn previous decisions and institute new measures considered necessary.</li> <li>→ endorse the action that has already been taken with no further action required.</li> <li>→ <b>If complaint is resolved, relevant information will be shared with involved parties as appropriate, and case closed.</b></li> </ul>   | Country or Sydney Management Team |
| Escalation 2 <sup>nd</sup> level | If the escalation remains unresolved, escalation to the CEO is available. He/She may: <ul style="list-style-type: none"> <li>→ reconsider the original decision and take additional corrective action.</li> <li>→ overturn previous decisions and institute new measures considered necessary.</li> <li>→ endorse the action that has already been taken with no further action required.</li> <li>→ Consider option to refer the matter to an external mediator or alternative dispute resolution (ADR) agency.</li> <li>→ <b>If complaint is resolved, relevant information will be shared with involved parties as appropriate, and case closed.</b></li> </ul> | CEO                               |

The ChildFund person dealing with the complaint will explore options and solutions that may help to resolve the concern. At all times the Person who lodged the complaint will be treated respectfully and, if the Person raising the complaint is a child or youth, particular care and attention will be given. A brief record of the discussion and any agreed actions will be made.

If a complaint relates to management, certain escalation steps are to be considered:

- for managers of staff, volunteer or interns the complaint will be directed to the next level Manager.
- for Country or Regional Program Directors, it will be referred to the relevant Global Programs Director in Sydney.
- for CEO reference point will be the Chair of the Board.

ChildFund is a signatory to the Australian Council for International Development (ACFID) Code of Conduct. If a person believes that ChildFund has breached the Code, they should raise a complaint with the ACFID Code of Conduct Committee (for more information, visit [ACFID website](#) or email to [code@acfid.asn.au](mailto:code@acfid.asn.au)).

ChildFund is a member of the Fundraising Institute Australia (FIA) and is committed to the Principles & Standards of Fundraising Practice. If a complaint arises in Australia and the complainant believes that

ChildFund has breached the Principles & Standards of Fundraising Practice they raise a complaint to the FIA.

ChildFund is a registered charity with the Australian Charities and Not for Profits Commission (ACNC). The ACNC encourages an individual to resolve any issue or complaint with the charity directly, without the ACNC needing to be involved. (If unsure visit [ACNC website](#) for further information).

Depending on the nature of the complaint, variations to the above procedures may apply. ChildFund is committed to ensuring that stakeholders who raise a complaint and/ or affected victims/ survivors receive appropriate community based assistance if needed.

## Sponsor & other Donor Refund Procedures

A request for a refund of contributions already donated to ChildFund by a sponsor/donor will be considered and determined on a case-by-case basis.

When a request for a refund is received, an assessment of the reason given for the refund request is undertaken. The following reasons will usually be considered favourably:

- an error has been made by ChildFund
- a sponsor/donor decides within the first 21 days of providing contributions that they have changed their mind and providing the funds have not already been remitted overseas
- a sponsor/donor banking details are fraudulently obtained and used
- the sponsor disputes agreeing to allocation of an additional child through ChildFund's marketing programs
- sponsor/donor contributions are paid in advance.

The following reasons will not usually be grounds for a refund to be given:

- the financial circumstances of the sponsor/donor;
- disagreement by the sponsor/donor with the nature of the programs provided by ChildFund.

If it is agreed that a refund is to be made, the sponsor/donor will receive the refund within 10 working days of the decision. Refunds will be credited to the bank account or card originally debited.

If it is decided that a refund will not be made, the issue is to be resolved using the steps in the Complaint Procedure above.

**ChildFund Australia Complaints Form (to be adjusted with external provider)**

|    |   |  |
|----|---|--|
| 1. | Please state <ul style="list-style-type: none"> <li>▪ Your full name</li> <li>▪ Your contact details</li> </ul> |  |
| 2. | Date and Time the complaint is lodged   |  |
| 3. | Brief description of the complaint and relevant details   |  |
| 4. | Decision about complaints handling and next steps<br><i>(for internal use)</i>                                  |  |



## Key Contact Details

### ChildFund Australia

Level 8 162 Goulburn St  
Surry Hills NSW 2010  
Ph: 1800 023 600  
[info@childfund.org.au](mailto:info@childfund.org.au)

### ChildFund Vietnam

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### ChildFund Papua New Guinea

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### ChildFund Cambodia

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Cambodia  
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### ChildFund Laos

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Sisattanak District Vientiane  
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Biju Abraham  
[bijua@childfund.org.la](mailto:bijua@childfund.org.la)

### ChildFund Myanmar

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Thazin Street  
Near G.E.M.S Condo  
Hliang Township  
Yangon Myanmar  
Win May Htway  
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### ChildFund Sport for Development

c/- PO Box 761  
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Lao PDR  
Chris Mastaglio  
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### ChildFund Timor-Leste

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Timor-Leste  
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### ACFID

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### FIA

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### ACNC

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