

Policy Name:	Complaints Policy		
Distribution:	All Caritas Australia Employees, Volunteers, Contractors, Partners, Participants/ Beneficiaries, Donors/ Supporters and the General Public	Document No:	CA-IP-POL-009-v1.0
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1. Organisational Commitment / Purpose

Caritas Australia is committed to providing publicised, accessible and safe opportunities for anyone, and especially for those most vulnerable, to express concerns and make complaints. Caritas Australia encourages such expression from any individuals or agencies, including from program participants/beneficiaries, partners and donors/supporters, in relation to any aspects of Caritas Australia's work, including international development work, humanitarian responses, advocacy work and community engagement activities in schools, parishes and other settings. This assists Caritas Australia to identify, address and report on any fraudulent, illegal or unethical conduct, including any sexual exploitation, abuse or harassment, in any of the work supported by Caritas Australia.

Caritas Australia is committed to transparency and accountability in the handling of all concerns, complaints and grievances, ensuring that these are handled in a timely, responsive manner in accordance with the principles for complaints handling and procedural fairness. This includes ensuring confidentiality and providing protection for whistle-blowers. It requires providing a response to the person making the complaint and ensuring that there is a means of appeal. Caritas Australia is committed to continuous improvement and will use concerns, complaints and grievances to review and improve our work.

The Catholic Social Teaching (CST) principles of dignity of the human person, subsidiarity and solidarity, offer significant guidance for the process of responding to concerns, complaints and grievances.

2. Scope

This policy applies to all Caritas Australia employees, volunteers, contractors, partners, participants/ beneficiaries, donors/ supporters, anyone else directly associated with Caritas Australia programs and activities, and to the general public.

This policy applies to complaints received from any individual or agency, external to Caritas Australia, including program participants/beneficiaries, partners, donors/supporters and the general public.

Caritas Australia employees, volunteers and contractors, both in Australia and overseas, should refer to the Caritas Australia Respectful Workplaces Policy and Procedure and the Caritas Australia Employee Protection (Whistleblower) Procedure in relation to complaints.

Anonymous complaints may be made, but the ability of Caritas Australia to investigate anonymous complaints may be limited.

3. Definitions

The **Australian Council for International Development (ACFID), Code of Conduct Committee** is responsible for investigating complaints made against an ACFID member that is believed to have breached the Code. Complaints against a member may be initiated by any member of the public, other ACFID members, and any other body.

A **complaint** is an expression of dissatisfaction about the standard/quality, processes, decisions, actions or lack of actions by Caritas Australia, partner organisations or other people involved in work supported by Caritas Australia, where a response or resolution is explicitly or implicitly expected or legally required. A complaint may or may not be about a particular person or persons.

The subject matter of complaints can include:

- Exploitation or abuse of children, vulnerable adults or any other person
- Misuse of funds or fraud (including terror financing)
- Misconduct (including sexual exploitation, abuse, and harassment) by an individual involved in the work of Caritas Australia, including employees, volunteers, and contractors of Caritas Australia, partner organisations, or other stakeholders
- Concerns about funding or programming decisions
- Concerns about program implementation

A complaint is not:

- A general inquiry
- A request for information
- A contractual issue
- A request to amend records or change donation details

Complainant means a person or an organisation or its representative, making a complaint.

The **Complaints Officer** is the Caritas Australia employee identified as the point of contact for any complaint received externally. The role of the Complaints Officer includes assessing who is the most appropriate person to respond to the complaint and recording the complaint in a secured database.

A **dispute** is an unresolved complaint escalated either within or outside of Caritas Australia.

Feedback includes opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about staff, programs or complaint handling systems where a response is not explicitly or implicitly expected or legally required.

Procedural Fairness relates to the fairness of the procedure by which a decision is made, and includes providing the respondent with sufficient information about the complaint in order to fully respond to the complaint and having that complaint addressed by an impartial person. Caritas Australia strives to ensure all complaints are dealt with and resolved in a timely, fair and transparent manner.

A **Respondent** is a person that a complaint has been made about. During investigation processes, if it is appropriate and in keeping with legislative requirements the respondent will generally be asked to address the complaints or assist in the investigation.

4. Guiding Principles

Visibility: We will clearly publicise information about how and where to complain.

Accessibility: We will ensure that our complaint handling process is as accessible as we can practically make it to all complainants.

Responsiveness: We will respond to complaints in a timely and efficient manner.

Objectivity: We will address all complaints in an equitable, fair and unbiased manner using evidence obtained through the complaint handling process. We will ensure that the person handling a complaint is different from any staff member/s whose conduct or service is being complained about. Conflicts of interest, whether actual or perceived, will be managed responsibly. In particular, when an internal review of how a complaint was managed is required, this will be conducted by a person other than the original decision maker.

Charges: Access to the complaint handling process is free of charge to complainants.

Confidentiality: We will protect the identity of people making complaints where this is practical and appropriate. Personal information that identifies individuals will only be disclosed or used by us as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations. Confidentiality also applies to any sensitive verbal or written information recorded in the course of the complaint handling process.

Person centred approach: The interests of participants/beneficiaries, partners and other stakeholders are foremost in our approach to complaints handling. We will take into account cultural and gender sensitivities to ensure that complaints are handled appropriately.

Accountability: We will ensure that accountability for and reporting on the actions and decisions with respect to complaint handling is clearly established.

Continual improvement: Continual improvement of the complaint handling process and the quality of service is one of our permanent objectives.

5. Where and How Complaints Can be Made

We are able to receive complaints verbally in person or by telephone and in writing by post, email or online via our website. Where complaints are made verbally we will ensure our write up of the complaint contains all the information the complainant wishes to provide.

Complaints may be made by a friend or advocate of the complainant on their behalf.

In countries where we work, complaints can be made through our partners or in-country staff. We work with them to ensure that accessible ways to make complaints are made clear and that complaints are handled in line with our policies and procedures and in forms appropriate to those countries. We will continue to work with our partners on effective participant/beneficiary feedback mechanisms that meet the obligations of both the partners and Caritas Australia.

We recognise that in some circumstances complainants may wish to remain anonymous. Even though we would not be able to respond directly to the person making the complaint anonymously, such complaints can alert us to matters that need to be investigated.

Complaints can be made through the following channels:

Phone: 1800 024 413 from within Australia or +61 2 8306 3400 from overseas and ask to be connected to the Complaints Officer

Email: complaints@caritas.org.au

(for matters other than complaints, please email to questions@caritas.org.au)

Post: Caritas Australia, GPO Box 9830, Sydney NSW 2001, address the letter to the Complaints Officer

In person: Where a complaint cannot be made by phone, email or post, it may be made directly to a Caritas Australia staff member (for example a staff member visiting a community) who can direct it to the Complaints Officer.

If the complainant believes that Caritas Australia has breached the ACFID Code of Conduct, a complaint can be lodged with the ACFID Code of Conduct Committee (<https://acfid.asn.au/content/complaints>). Caritas Australia can provide the necessary information to the complainant for referral to the ACFID Code of Conduct Committee and offer assistance as appropriate.

6. Complaints Handling Process

Acknowledgement

Caritas Australia will acknowledge written complaints within five (5) working days. We will acknowledge verbal complaints immediately. We will 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 we will inform the complainant of progress and keep them informed of progress every two weeks.

Avenues for dealing with a complaint

We 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.

Level 1

We aim to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Level 2

Where resolution at Level 1 is not possible, we may decide to escalate the complaint to a more senior officer within our organisation. This second level of complaint handling will provide for the following internal mechanisms:

- Assessment and possible investigation of the complaint and decision/s already made, and/or
- Facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Level 3

Where a person making a complaint is dissatisfied with the outcome of our review of their complaint, they may seek an appeal or an external review of our decision.

Notification and feedback to the complainant

We will communicate our decision on a complaint as soon as is practical. Our communication will be in writing in the appropriate language by email and/or post. However, where appropriate such as in the case of a complaint being made by a local community member (in the field) we will also communicate our decision orally and again in the appropriate language.

We will encourage the complainant and any respondents to advise whether or not they are satisfied with our decision on a complaint, and we will inform them that if they are not satisfied they have the option of submitting a formal appeal.

Appeal process

It is in the interests of both the complainant and Caritas Australia to ensure that any complaint is satisfactorily resolved. Should the person making a complaint not feel satisfied with the outcome despite having had the opportunity to request further clarification or feedback, they can submit a formal appeal directly to Caritas Australia's Chief Executive Officer. This can be done in writing to the following address:

Chief Executive Officer

Address: Caritas Australia GPO Box 9830, Sydney NSW 2001, Australia

At this point the case will be fully reviewed. All the procedures and investigations that have been followed, the outcomes and the actions taken to date will be assessed. A Caritas Australia representative will be designated to respond and keep the complainant and involved parties up-to-date as necessary on the appeal process and inform them of the outcome of the appeal.

7. Educating Our Organisation on Our Policy and Training Relevant Personnel

Our Complaints Policy is distributed to all Caritas Australia employees, volunteers, contractors, partners, and all others acting on our behalf. We ensure familiarisation with the policy in induction programs and refresher trainings. Personnel directly involved in complaint handling are fully trained in all aspects of this policy and its implementation. We take special care to train our personnel who travel to the field to encourage and receive complaints taking into account language issues and cultural sensitivities. We support partners to understand the Caritas Australia policy and develop their own complaints mechanisms.

8. How We Will Learn from Complaints

We will ensure that all relevant personnel are informed of the outcomes of complaints and the implications for our programs, procedures and processes, at all times and with our best endeavours, respecting the confidentiality of persons directly involved in complaints.

We will take all required remedial action. We will be prepared to change the way in which we operate and improve or undertake further training of staff. Where needed we will counsel staff or volunteers and where appropriate undertake disciplinary action.

Where appropriate and in keeping with confidentiality and privacy requirements we will consult and take advice from ACFID and/or other relevant regulatory/enforcement authorities.

9. Continuous Improvement

On a continuing basis we will monitor the effectiveness of our complaint handling and make improvements as appropriate. We will:

- maintain data collection on complaints for the purpose of identifying trends or upcoming issues;
- provide data on complaints to the Caritas Australia's Audit and Risk Committee
- identify trends or review issues and improve practice where necessary
- keep abreast of best practices (both locally and overseas) regarding complaint handling
- foster a person-centred approach
- undertake specific training and retraining of staff to foster better complaint handling practices
- encourage innovation in complaint handling development

10. Roles and Responsibilities

The Complaints Officer is a designated Caritas Australia employee responsible for receiving complaints and referring complaints to the appropriate Caritas employee to action. These include the Safeguarding Focal Point/Child Protection Officer for complaints related to safeguarding and child protection, and the Chief Financial Officer (CFO) for complaints related to suspected fraud, corruption or terror financing.

The Complaints Officer will maintain a record of complaints received for reporting to Caritas Australia's Audit and Risk Committee.

11. Related Documents

Internal

- Caritas Australia Employee Protection (Whistleblower) Procedure
- Caritas Australia Respectful Workplaces Policy and Procedure
- Caritas Australia Child Protection Policy
- Caritas Australia Child Protection Guidelines and Procedure
- Caritas Australia Complaint Report Form
- ACBC Workplace Investigations Procedure

External

- Australian Council for International Development (ACFID) Code of Conduct
- Core Humanitarian Standard on Quality and Accountability (CHS)
- Australian Charities and Not-for-Profits Commission Governance Standards
- Department Foreign Affairs and Trade Australian NGO Accreditation Guidance Manual June 2018

12. Document History and Version Control Table

Version Number	Date Approved	Approved By	Brief Description
v1.0	30 October 2018	National Council	New policy replacing Field Complaints Policy. Describes the process for making complaints and appealing against decisions taken in relation to complaints

Appendix

Workflow for Handling Complaints

