

Complaints Policy

1. REVIEW

Review of this policy will occur every	3 years
Approval Level Required of amendments to this policy by	GRE
Policy Owner	Director of People and Technology
Required on Website?	Yes

VERSION LOG

Note: *Where amendments are only approved by ELT and not in line with Approval Level noted in the table above because the nature of the amendment is minor, the existing Next Review Due Date must be retained to ensure review occurs by the appropriate Approval Level.

Version	Author/s	Approved By*	Approval Date	Next Review Due	Comments
V1	Operations	Board	June 2013	June 2016	
V2	Operations	Board	28 June 2016	June 2019	
V3	People & Culture	Board	Aug 2020	Aug 2023	
V4	People & Culture	ELT	February 2022	Aug 2023	

2. POLICY STATEMENT

UNICEF Australia welcomes feedback and complaints as a mechanism for accountability and continuous improvement. UNICEF Australia (UA) seeks to have any complaint or dispute raised and received in a constructive and open manner and resolution achieved in a timely and effective way.

Where practicable, any complaint or dispute about an aspect of UA's operations or practices will be dealt with confidentially. Efforts will be made to ensure the complaint is resolved effectively and with the appropriate degree of urgency and that procedural fairness is extended to all parties.

UA will aim to ensure that those investigating a complaint do not have a conflict of interest and that any complainant is not subject to victimisation or retaliation **because** they have made a complaint.

3. PURPOSE

The purpose of this policy is to ensure transparency and accountability to all stakeholders in relation to complaints regarding UA, its operations, and its staff. This policy seeks to make clear the mechanisms available for making complaints and the way in which complaints will be handled and resolved.

UNICEF Australia is a signatory to the Australian Council for International Development's Code of Conduct (ACFID Code of Conduct) and is committed to recognising the importance and value of listening and responding to concerns and complaints and ensuring its feedback and complaints handling process is fair, effective, safe, confidential and accessible to stakeholders without prejudice.

4. GUIDING PRINCIPLES

- Confidentiality: UA is committed to ensuring that, where reasonably practicable, all information related to complaints and their resolution will remain confidential. The privacy of individuals, whether complainant or complaine, will be maintained and personal information will not be divulged except as required by law.

- **Accessibility:** complaints procedures should be easily accessible and well publicised to the people we work with and other stakeholders. Information relating to the process is accessible and options exist to make a complaint. UA is committed to ensuring this Policy and information about UA's complaints mechanisms are accessible via UA's website.
- **Reputation:** Complainants are not disadvantaged or victimised for making a complaint. Similarly, the rights of the person against whom the complaint is made will be upheld – no prejudgement will be made, and confidentiality will be maintained throughout the investigation.
- **Objectivity:** complaints should be treated with respect and in a fair and equitable manner. Potential conflicts of interest should be identified to ensure objectivity.
- **Responsiveness:** we take all complaints seriously and aim to deal with them in a manner that is timely, responsive, and objective. If possible, complainants will be kept informed on the progress of their complaint throughout the process.
- **Continuous improvement:** UA is committed to the continuous improvement of the complaints handling process and the quality of UA's work. UA acknowledges the value of feedback as an important tool in understanding and responding to stakeholder's expectations. By analysing complaints, we can identify where we can improve our programs, policies or service delivery.
- **Caring for survivors:** UA understands that making complaints can be difficult and want to make sure we provide appropriate support to survivors. We prioritise the safety, rights, needs and wishes of all people whilst ensuring procedural fairness to all parties. We especially recognise the needs of those who are vulnerable or may be victims/survivors of harm. We will provide survivors with information about how we handle complaints. Survivors will be treated with dignity and respect; actively involved in decision making; provided with comprehensive information; have their privacy and confidentiality protected; and where required assisted in accessing other support services including health or psychological services and address any immediate protection assistance and or rehabilitation.

5. APPLICATION

This policy sets out the means by which members of the public, including suppliers and clients to UNICEF Australia (UA) can make a general complaint regarding UA, its operations and individual team members. Complaints may come from supporters, donors, the general public, beneficiaries, official bodies and our partners. This policy deals only with external complaints.

Complaints that do not fall under this policy, are complaints made about another organisation and/or their personnel. They will be referred to that organisation and it is the responsibility of that organisation to resolve it under their own complaints handling mechanism.

Complaints regarding UNICEF, UNICEF Country Offices, or Country Office implementing partners will be responded to in line with UNICEF's complaints procedures. In the case that such a complaint relates to DFAT funding, this will also be reported to the relevant DFAT department in line with UA's reporting obligations.

This policy does not cover internal issues and/or complaints by staff, interns or volunteers. These are dealt with in accordance with the UA Grievance Policy.

This policy does not deal with Whistleblowing Complaints. The Whistle-blower policy can be found on the UNICEF Australia website and can be used by either internal or external complainants in instances where the issue is related to suspected unethical, illegal, fraudulent, corrupt, or dishonest conduct.

6. RESPONSIBILITIES

UA's Executive Leadership Team (ELT) is responsible for ensuring that UA responds to complaints according to the policy and procedures.

The Chief Executive Officer (CEO) is ultimately responsible for complaints which cannot be resolved by management or ELT.

The Chair of the Board is responsible for managing complaints relating to the CEO and investigating very serious complaints

The Supporter Relations Manager acts as the Complaints Handling Officer and is responsible for:

- a. Initial assessment of complaints and identifying those which can be dealt with informally and those which are clear, serious, or complex complaints to be addressed according to the complaints handling procedure;
- b. ensuring complaints are appropriately referred, resolved and that follow up actions have taken place;
- c. Maintaining the Complaints Log, ensuring that personal information is kept confidential, and is deidentified if requested by the reporter.

All staff are responsible for applying this Policy and associated implementation documents in the event that they receive a complaint directly. This includes referring the complaint to the Supporter Relations Team.

The Director of International Programs is responsible for reporting to DFAT any complaints received relating to any activities associated with DFAT-funding, in line with DFAT reporting requirements. This includes, but is not limited to complaints regarding fraud, corruption, terrorism financing, child safeguarding or PSEAH. The Director of International Programs is also responsible for referring any complaints made regarding UNICEF Country Offices to the relevant Country Office Representative or UNICEF's Office of Internal Audit and Investigation, in accordance with UNICEF's policies.

UNICEF partner Country Offices are responsible for receiving and responding to complaints regarding in-country operations in line with UNICEF complaints procedures. Partner Country Offices are also responsible for reporting to UA any complaints received regarding fraud, corruption, terrorism financing, child safeguarding or PSEAH in relation to any activities receiving UA funding, including those conducted by downstream implementing partners, and reporting to UA any complaints made against UA or a UA staff member.

7. IMPLEMENTATION

Compliance

The consequence of a UA employee not complying with this policy and procedures may result in disciplinary action (up to and including termination of employment). What action is taken will be dependent on the seriousness of the non-compliance with this policy.

Complaints Handling Process

UA is open to receiving and will endeavour to respond to, all complaints irrespective of who makes them or the nature of the complaint. It is acknowledged however that some complaints are of a more minor nature and may be best resolved quickly and informally (Informal Resolution). This is why, complaints will be addressed at the Supporter Relations Team level as much as possible using the agreed procedure and escalated to management where this is not possible (sensitive complaint, not enough capacity or expertise at the local level, allegation involving senior personnel).

Serious complaints will be referred to an ELT member or Department Manager, noting situations where Whistleblower Policy reporting may take precedent. Where a complaint cannot be resolved easily and informally or the complaint is deemed to be of a more serious nature by UA, the Complaints Handling Process described below should be followed.

Making and receiving a complaint

How can a complaint be made?

UA welcomes feedback from our stakeholders, and we take complaints very seriously. All stakeholders should be clear on how to raise a complaint with the organisation.

UA's Complaints Policy is published on the UA website and highlights the following central points for all complaints:

- To make a verbal complaint contact our Supporter Relations Team on 1300 884 233
- Written complaints can be sent to the e-mail address: Support@unicef.org.au
- Complaints can also be made in person or mailed to our address - Suite 402, Building B, 33-35 Saunders Street, Pyrmont, NSW 2009
- Complaints can also be made through an inquiry made via the 'Contact Us' forum on the website
- Complaints regarding suspected breaches of the ACFID Code of Conduct can be made to the ACFID Code of Conduct Committee. Information on how to make a complaint can be found on the ACFID website: <https://acfid.asn.au/content/complaints>

To ensure no disadvantages or barriers to making a complaint, where necessary, language interpreters may be engaged to help establish the nature of the complaint.

Who can receive a complaint?

Complaints can be taken by any staff member and will be referred in the first instance to the Supporter experience team who are responsible for appropriate management and action of the complaint. It is important the staff member taking a verbal complaint clarifies the issues, listens to what the complainant has to say and makes a brief and accurate written summary of the complaint. The staff member should also establish if the complainant needs assistance in making the complaint. When the complaint is made via phone to our support hotline, the complaints will be recorded, however the complainant can request the call not to be recorded.

The employee receiving the complaint will record the following details:

- (a) the name of the person/s making the complaint;
- (b) the date, time and location the complaint is received; and
- (c) a brief description of the complaint and the expectations of the complainant.

The employee receiving the complaint should also inform the complainant that any personal information received will be handled in accordance with the UA Privacy Policy which can be found on the UA website.

In some instances, a complainant may request that their identity is not divulged however it should be acknowledged this may restrict the resolution of the complaint and such confidentiality may not always be possible.

Acknowledging a complaint has been received

Each complaint must be acknowledged as it is received. Acknowledgement will also include an outline of the next steps. If an oral complaint is received the staff member should take the name and contact details so the outcome can be communicated to the complainant in a discrete manner.

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- Complaints via email/website: an auto generated acknowledgement email is received instantly, with a ticket number and expected first response period of 24 hours.
- Complaints via phone: a case is manually created, and the caller is notified of expected resolution period and the required steps to resolve the issue.
- Complaints via mail: if contact details are known, we contact the complainant as soon as possible and follow “phone” process.

Registering Complaints

All complaints dealt with under the complaints handling process, whether verbal or written are recorded as a case in Salesforce by Supporter Experience Team member. These records will be used to ensure complaints are dealt with effectively, to monitor trends and to ensure continuous improvement of the complaints handling process and our work.

Supporter Experience Executive will typically request contact details of the complainant but where practical and appropriate, we can de-identify complaints at the request of the complainant or survivor. Personal information that identifies individuals will only be disclosed when required by law. When required for purposes of the investigation or other related purposes, all reasonable efforts will be taken to de-identify information that is not required for the purpose of the disclosure.

If a staff member, other than a Supporter Experience Executive receives a complaint they are to send the details of the complaint to the Supporter Experience team for recording.

In the event the complaint relates to a member of the Supporter Relations team, the matter will be referred to the Head of Individual Giving and Chief Marketing Officer - Fundraising & Communications.

The Chief Marketing Officer and Head of Individual Giving will review the Complaints Record on a regular basis and follow up on any outstanding matters or identified trends.

Assessing and reviewing a complaint

When a complaint is received and addressed through the complaints handling process, an assessment must be made about the appropriate course of action. This can only be achieved through investigation.

To conduct an investigation the person handling the complaint will:

- Establish the facts and gather the relevant information; and if necessary and/or practicable, interview those involved.
- Once the investigation is completed a recommended course of action will be made by the person handling the complaint to the relevant Executive Leadership Team (ELT) member.
- If the outcome of the investigation is that there should be action taken in relation to an employee then the appropriate disciplinary and other relevant organisational policies and procedures will be followed (e.g., UA’s Child Safeguarding Policy, PSEA Policy, Anti-Fraud Policy, etc).

Remedy or System Improvement

At times, remedy and systems improvement may arise out of complaints dealt with under either Informal Resolution or under the complaints handling process. This procedure will be initiated by the relevant manager using the following steps. It also applies to suggestions.

1. Assess if remedy and/or systems improvement is warranted or no action is required.

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2. Implement immediate remedy/system improvement or plan future implementation of remedy/system improvement.
3. Inform complainant of outcome.

Informing complainant of outcome

Once the complaint has been resolved, if possible, the complainant will be advised of the outcome of the complaint. UA will endeavour to ensure this process is mindful of the confidentiality of the complainant and any individual involved in the matter.

Timeframe for Response

UA will seek to resolve complaints as quickly as possible and ensure complainants are regularly updated as to the progress or outcome of their complaint.

For less serious complaints UA will endeavour to resolve matters, or provide an update with an expected timeframe, within 24 hours. If more time is required to respond, the complainant will be notified that the matter is under investigation and has been escalated. For more serious complaints UA will endeavour to resolve matters, or provide an update with expected timeframe, within one month.

Appeals Process

If the complainant is unhappy about the responses received from UA or if they believe action has not been implemented, they may appeal to the next management level. If the matter involves an executive level manager, it should be referred immediately to the CEO. If the complaint involves the CEO it should be referred to the Chair of the Board.

Publication of the Policy

UA will provide clear information to its stakeholders and members of the public about how to make a complaint and the ability to make a complaint to the ACFID Code of Conduct Committee for suspected breaches of the Code by a signatory organisation.

This information will be made public on the UA website and in the Annual Report. UA staff will inform relevant stakeholders of the policy where appropriate and provide copies of the policy on request.

Training of Policy

New staff will be provided with the policy as part of their induction to the organisation. The policy will also be available for all staff on a nominated share drive and placed on UA's website.

Training and/or communication will also be provided following an update or change to the policy.

Working with international partners

UA may receive complaints relating to one of our directly supported programs or partner Country Offices by a community member, including children and youth, implementing partner or government official. In the countries where we work, complaints can be made to partner Country Offices, implementing partners or UNICEF Australia personnel in-country or using existing UA complaints reporting mechanisms.

All complaints relating to UNICEF's in-country operations will be managed according to UNICEF's established internal mechanisms, as outlined in the UNICEF Executive Directive CF/EXD/2007-005 Revision 2 – Section 3. Specifically:

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- a. UNICEF Country Offices are responsible for responding to complaints relating to UNICEF's operations in each respective country. Complaints made directly to UA will be referred to the head of the office (Country Representative) or division concerned.
- b. Serious complaints of misconduct related to UNICEF Country Offices (particularly relating to fraud or sexual exploitation and abuse) will be made to the designated authority and managed according to established guidelines, including the Director, Office of Internal Audit and Investigation, the focal point appointed to receive reports of sexual exploitation and abuse.

For any complaints relating to activities which receive DFAT funding, UA will also report the relevant information to DFAT in line with our reporting obligations under the ANCP and other funding mechanisms.

UA outlines its approach to working with Country Offices in the *Country Office Partnership Policy*, which includes guiding principles relating to shared vision, integrity, transparency and mutual accountability. Upon entering a funding agreement with a UNICEF Country Office, UA and the Country Office sign a Letter of Acknowledgement, which outlines mutual responsibilities, including relating to the handling of complaints. The Letter of Acknowledgement also includes cascading clauses, which apply to downstream implementing partners.

UA works with our partner Country Offices to ensure that appropriate mechanisms are in place, including through implementing partners, for complaints to be received and responded to, including ensuring these are accessible and inclusive for community members and program beneficiaries, including children.

8. ASSOCIATED INTERNAL POLICIES AND GUIDELINES

UA Child Safeguarding Policy

UA Protection From Sexual Exploitation and Abuse Policy

UA Fraud and Corruption Policy

UA Internal Complaints and Grievance Policy

UA Whistle Blowing Policy

UA Country Office Partnership Policy

ANNEX 1: DEFINITIONS

Complaint: UA defines a complaint as an expression of dissatisfaction about the standards of service, actions or lack of actions by UA. It may include but is not limited to the following:

- a. concern about the behaviour of staff, volunteers, Board members, suppliers, partners or others acting on UA's behalf;
- b. criticism about a fundraising campaign or action;
- c. concern over inappropriate use of funding;
- d. any breach of the ACFID Code of Conduct;
- e. concern over organisational practices, policies or procedures; **or**
- f. complaints about UA supported development programs and/or operations of partner Country Offices.

Complainant: A complainant is any person or organisation making a complaint.

Serious complaint: Serious complaints relate to conduct that may affect UA's work, its reputation or the safety or security of its information. This includes complaints involving allegations of abuse of power, alleged breaches of legislation, criminal or not. Examples of such complaints are fraud, sexual exploitation, abuse and harassment and child safeguarding matters and will be referred to the Executive Leadership team, noting situations where Whistleblower Policy reporting may take precedent.

Minor complaint: Minor complaints are conduct complaints that are not considered to fall within the serious category. They include (but are not limited to) rudeness and poor or inappropriate service and discourtesy.

Implementing Partner: Any NGO/s or CSO/s which are responsible for collaborative implementation of the program activities in relation to the Directly Supported Program. This includes any organisation with which UNICEF has a Program Cooperation Agreement or Small-Scale Funding Agreement with respect to or including the Directly Supported Program. This does not include collaborative arrangements under an MOU where the CSO utilises its existing resources and there is no transfer of cash or supplies.

Partner Country Office: A UNICEF Country Office with whom UNICEF Australia holds a signed Letter of Acknowledgement and a minimum of one active Directly Supported Program

Remedy is action taken to correct or rectify a situation for an individual and may involve one or more of:

- (a) providing explanation and reasons if not previously provided;
- (b) concluding that the complaint has been substantially resolved;
- (c) reaching a compromise solution;
- (d) giving an apology or providing a service not previously provided;
- (e) addressing or referring the issue for system improvement.

Systems improvement is an opportunity to improve **policies, procedures, organisational culture, or similar issues** to prevent future problems. Systems improvement may involve one or more of:

- (a) referral for consideration of policy change;
- (b) policy development or revision;
- (c) process improvement, such as changes to procedures and workplace practices;
- (d) program review;
- (e) expert assistance, staff development or performance improvement;
- (f) improved implementation, such as issuing updated documentation or reminders;
- (g) monitoring compliance; or
- (h) other action to ensure that the matter is handled appropriately in future.

Legislative and Regulatory Context

- Australian Council for International Development (**ACFID**) Code of Conduct
- Fundraising Institute of Australia (**FIA**) Principles and Standards of Fundraising Practice
- Public Fundraising Regulatory Association (**PFRA**)
- *Privacy Act 1988* (Cth) (**Privacy Act**)
- ACNC Governance Standards