

COMPLAINTS POLICY

	<i>G&F Committee Approval</i>	<i>Last Review Date</i>	<i>Version</i>	<i>Next Review Date</i>	<i>Changes/Comments</i>
Creation	November 2012		v.1		
Review		May 2016	v.1	2021	
Review		October 2021	v.2	2023	
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1 PURPOSE

Responding to complaints, and feedback, from stakeholders is an important part of improving International Detention Coalition's accountability. International Detention Coalition (IDC) will therefore establish a variety of mechanisms under this one common policy to encourage feedback about its work from all its stakeholders and where this feedback represents a complaint about IDC's conduct to respond in a timely and appropriate manner. This policy will be actively spread among all stakeholders. The policy will be kept under review and be subject to a bi-annual report to IDC's Committee.

2 POLICY

2.1 Who is this policy for?

This policy is addressed to all IDC staff, contractors working on an on-going basis, interns, volunteers, consultants and members of IDC's Committee (generally referred to as 'staff' in this policy) regardless of location. All individuals engaged by IDC will be made aware of the Complaints Policy and their responsibilities as stated in the policy during their induction.

Where there is reference to the Director, it should be noted that he/she is responsible for the coordination, oversight and development of the IDC Secretariat and Coalition, with a focus on strategy, technical advice and institutional and partner development, and working with IDC's Committee on governance and finance issues, and working with the team leaders and staff on operational implementation. Team leaders constitute 'Regional Coordinator and other Coordinators' for the purposes of this policy.

2.2 What is this policy about?

This policy statement provides a single source of information on IDC's complaints policy and procedures. It is global in intent and coverage and is a public document that will be published on IDC's website.

Receiving feedback and responding to complaints from stakeholders is an important part of improving IDC's accountability. Ensuring that our stakeholders can hold us to account will improve the quality of our work in all areas of activity.

IDC will work hard to introduce procedures that ensure all our stakeholders around the world have a clear and accessible means to make a formal complaint about IDC and have it dealt with in a timely manner. When necessary, a translator will be acquired and/or in the case of children a person that they trust will be engaged as part of the process.

2.3 Definition of a complaint

A complaint is an expression of dissatisfaction about the standards of service, actions or lack of action, by IDC or its staff and volunteers. It is a criticism that expects a reply and would like things to be changed. Complaints could include the following (which is not an exhaustive list):

- Concern from someone we work with about the quality of a workshop delivery;
- Concern from a member of the public or member organisation about a particular advocacy approach or campaign action;
- Concern about the behaviour or working practices of staff or volunteers.
- Concern where there is a safeguarding risk

A complaint has to be about some action for which IDC is responsible or is within our sphere of influence.

A complaint is not:

- A general inquiry about IDC's work;
- A request for information;
- A contractual dispute; or
- A request to unsubscribe from an IDC service e.g. the e-newsletter or IDC's database
- An inappropriate comment at a meeting or event

The complaints procedures do not apply to complaints that are subject to current investigation by any regulatory body or other legal or official authorities in Australia or other countries in which we operate. Such issues will be dealt with under the relevant regulatory regime.

It is hoped that most complaints or concerns about IDC's work or behaviour can and will be dealt with informally. However, it is recognised that not all issues can be resolved in this way and that a formal complaints mechanism is required for those occasions when an individual or organisation wishes to make their complaint a matter of record and to receive a formal response.

2.4 How to make a complaint?

All formal complaints should be made in writing either directly from

the individual or organisation making the complaint or via someone acting on

their behalf, especially in the case of children. See the [IDC website](#) for contact details of whom to address a complaint to. The complaint should be addressed to the most relevant Coordinator or to the Executive Director.

(v) Who can make a complaint?

This policy is global in application. A complaint can be made by:

- any supporter;
- member organisations;
- communities or individuals with whom we work;
- staff, intern volunteer or contractor; or
- any member of the public whether an individual, company or other entity in Australia or around the world.

2.5 What is not covered by this policy?

Complaints by IDC staff and volunteers are covered by human resources policies and procedures that are complementary to this policy.

2.6 Who is responsible for responding to complaints?

IDC's Regional Coordinators are in charge of responding to complaints from their areas of responsibility. To ensure consistency of response and to manage complaints effectively IDC's Director will oversee any response.

If the complaint is related directly to a Regional Coordinator, the complainant should contact the IDC Director.

If the complaint is related directly to the IDC Director, the Chair of IDC's Committee will assume authority.

It is the responsibility of all Team Leaders to implement and promote procedures for handling complaints. The overarching process is outlined in Appendix I. A record of complaints made, along with responses, will be maintained (please refer to Appendix II for documentation).

2.7 Confidentiality

All complaints will be handled on a confidential basis. In some cases it may be necessary to disclose information to third parties, such as national law enforcement agencies. IDC will not respond to complaints made anonymously.

2.8 Time Limit for making a complaint

Any complaint should be made as soon as possible, when events are fresh in the mind, ideally within three months from the date the complainant became aware of the incident that is the source of the complaint.

This gives adequate time for the complainant to have considered their arguments, and for all relevant facts to remain fresh. Any necessary departure from this time limit will be reviewed and allowed by the recipient of the complaint in conjunction with the IDC Director where they deem it to be appropriate.

This time limit does not apply if other legal procedures lay down a different time limit.

2.9 What happens after a complaint is made?

IDC will aim to resolve complaints within fourteen working days of receipt. In the event that a complaint cannot be resolved within this timeframe the complainant will be informed, in writing, about when they can expect a full response.

2.10 What happens if I am unhappy with IDC's response to my complaint?

Complainants are entitled to challenge any response received from IDC except where these challenges amount to persistent, habitual or vexatious complaints. In the event of a complainant being dissatisfied with the response from IDC to their complaint they may write to the IDC Director who, in conjunction with the Chair of IDC's Committee and another Team Leader, will consider what action should be taken and inform the complainant about what further action may or may not be taken.

If the complainant wishes to take it to a non-IDC authority, the [ACFID complaints process](#) is open to them as IDC is a signatory to the ACFID Code of Conduct.

2.11 When will IDC not respond to a complaint?

Everyone who makes a complaint to IDC will be treated with courtesy and respect. In return, IDC expects people who make a complaint to make their concerns fairly and appropriately. Where complainants harass staff, behave abusively, or unreasonably pursue complaints, IDC reserves the right to withdraw or modify its complaints process.

A decision about what constitutes a persistent, habitual or vexatious complaint will be taken by the Director, except where the complaint is about the Director, in which case it will be decided by the Chair of IDC's Committee. The Director, or Chair, will advise the complainant of the decision and the reasons for it. In such cases, the complainant will be advised that IDC does not intend to

consider further, or correspond about, the complaint or any specific points raised in a complaint.

3 IMPLEMENTATION

The Director, in conjunction with Team Leaders, is responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed bi-annually and revised as needed.

The processes for compliance with this policy are outlined in the supporting documents and forms referred to at relevant clauses throughout the policy and can be found in the appendices.

4 REFERENCES/RELATED DOCUMENTS

IDC Human Resources Policy

[ACFID Code of Conduct](#)

[UN Guidelines for Consumer Protection](#)

[Ombudsman's Better Practice Guide to Complaint Handling](#)

[One World Trust Principles of Accountability](#)

APPENDIX I: Complaints Process

Step 1: Receiving and Assessing Complaints

The person receiving the complaint is to clarify the issues underlying the complaint either in writing or verbally. They are to listen to the complainant and treat them with respect. Extra care will be taken when the complainant is a child and the process will be fully explained in age-appropriate language. Email addresses of staff are on IDC's website. A complaint against the Executive Director could be sent to the Chair of IDC's board, Alice Nah, alice.nah@york.ac.uk.

Step 2: Acknowledging Complaints

Each complainant will receive an acknowledgement of their complaint to confirm that it has been received and an outline of the next steps within fourteen working days.

Step 3: Registering Complaints

All complaints are to be recorded on the Complaints Record Form (see Appendix II). These are to be filed and form the basis of the review at the end of each year.

Outcome 1: If the complaint is immediately resolvable, complete the Complaints Record Form (see Appendix II) and provide a signed copy to the complainant.

Outcome 2: If the outcome of the investigation is to uphold the complaint this information will be made available in written form to the complainant, along with information on the outcomes and steps taken by IDC.

Outcome 3: If the outcome of the investigation is to dismiss the complaint, this will be communicated to the complainant. The appeals process is to be outlined and communicated to them as well.

If the complainant is unhappy with the ruling, they can start a process of appeal. The IDC Director, or Chair of IDC's Committee, along with another Team Leader will further investigate the complaint and undertake interviews if necessary.

The complainant will be provided with a written account of the findings.

Result: IDC learns from the complaint and a response is given.

APPENDIX II: Complaints Record Report

To be completed, as needed, through the life-cycle of a complaint.

Note: This is a living document that needs to be updated with actions taken at different stages of the process.

COMPLAINTS RECORD REPORT

Date:	<i>Date complaint is received</i>
Personal details of complainant:	<i>Name, contact details, if appropriate</i>
Nature of complaint:	<i>Brief outline of the complaint</i>
Details of complaint:	<i>A detailed description of the complaint the person has made</i>
Who dealt with it:	<i>Name of person who is or has responded to the complaint</i>
How it was dealt with:	<i>Action taken to handle the complaint</i>

Outcome:

Outline of what has happened as a result of the complaint

Follow-up required:

Any action required as a result of the complaint