

## Act for Peace Complaints Handling Policy

See also the separate Child Protection Policy which has a specific complaints forms and procedures.

Act for Peace is the international aid agency of the National Council of Churches in Australia and a member of the global ACT Alliance.  
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## 1. Introduction

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We are committed to providing high-quality humanitarian, development and advocacy programmes and to working in an open and accountable way. In an effort to achieve high quality, we strive to meet and even surpass the expectations of our stakeholders, i.e., our partners, development and crisis-affected communities, donors, supporters and the public. We realise, however, that there may be occasions when we do not meet the reasonable expectations of all stakeholders at all times. Our stakeholders have a right to complain when this occurs. All complaints are taken seriously, and we appreciate when people take the time to help us do our job better.

We recognise that we have a responsibility to better address the safety and protection of crisis-affected populations and communities in our humanitarian and development programmes. We therefore encourage all partners to explore and develop safe and effective complaints mechanisms that are accessible to all women, men, boys and girls with whom we work. Communities should be informed of their rights and entitlements and about how to make a complaint. For further guidance, please refer to the *ACT Complaints Handling and Investigations Guidelines 2010*.

### 1.1. Scope of the policy

Our policy covers complaints in relation to the following:

- Actions or behaviour of a partner organisation that is in breach of the ACT policy;
- Work at Act for Peace; and
- Behaviour of an Act for Peace employee.

If a person submits a complaint – hereinafter referred to as “the complainant” – that is not within the scope of this policy, s/he will be informed accordingly.

### 1.2. Creating a safe environment

Act for Peace seeks to provide a safe environment through which to voice a concern, without fear of reprisal or unfair treatment. We are committed to ensuring that all stakeholders should be able to raise reasonable concerns:

- without any risk of losing their employment or entitlements or suffering any form of retribution in the workplace or outside;
- knowing that harassment or victimisation will not arise from raising a genuine concern - and if it does, to know that we will deal with it as a disciplinary action under the appropriate procedure; and
- knowing that sensitive complaints will be addressed in a confidential manner.

Act for Peace aims to ensure that complaints are addressed fairly, appropriately, and in a timely manner. Complaints classified as sensitive complaints, such as allegations of sexual exploitation and abuse are handled confidentiality and only on a “need-to-know” basis.

Act for Peace is a member of the Australian Council for International Development (ACFID) and a signatory to the ACFID Code of Conduct. The Code offers a mechanism to address concerns relating to signatories' conduct. We will advise a complainant of the ability to make a complaint regarding an alleged breach of the Code to the ACFID Code of Conduct Committee.

### 1.3. Definition

Act for Peace defines a “complaint” as a formal expression of dissatisfaction or discontent, and/or misconduct, about someone or something. We distinguish the term ‘complaint’ from ‘feedback’. Feedback is

any positive or negative informal statement of opinion about someone or something – an opinion shared for information but not with the intention of lodging a formal complaint. A complaint requires a response whereas feedback does not.

#### **1.4. Complaints not addressed by this policy**

We will not address the following complaints:

- Complaints against an employee of partner organisation. Such complaints must be addressed directly with the management or governing board of the organisation whose employee is the subject of complaint.
- A complaint about an organisation other than an Act for Peace partner or Act for Peace itself.
- If a staff member needs to make a complaint about a staff member or process of another organisation it should be raised with Act for Peace management and the staff member should be supported through the process of raising and addressing the complaint.

We will not respond to the following complaints:

- Offensive or abusive complaints
- When a complaint has been sent as part of a bulk mail or email to multiple organisations.

## **2. Types of complaints**

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### **2.1. Operational and sensitive complaints**

This policy is designed to handle both operational complaints and sensitive complaints.

Operational complaints may include: Act for Peace members disagreeing over areas of operation, funding sources, priorities, differences of interest between the public relations interests of the funding members, conflict over advocacy approaches, the capacities of implementing members, or non compliance with Act for Peace programmatic principles, among others. Complaints may also relate to Act for Peace, e.g. regarding decisions on funding appeals, strategy implementation, management issues, etc.

Allegations harassment or bullying, of sexual exploitation and abuse, fraud and corruption or other gross misconduct are considered by Act for Peace as “sensitive” complaints. The policy supports the confidential handling of information related to sensitive complaints. It also ensures that sensitive complaints are addressed by senior management.

### **2.2. Anonymous complaints**

As a principle, Act for Peace does not accept anonymous complaints. We recognise, however, that at times people who have genuine concerns can't speak out because of special circumstances and may wish to lodge a complaint with a staff person without revealing their identity to a wider audience. In this instance, we have an opportunity to seek information and initiate an investigation, if indicated. In extraordinary situations the Act for Peace complaints manager can give consideration to anonymous complaints if it is evident that there are grounds for further action and in an effort to ensure a safe and abuse-free environment.

### **2.3. Malicious complaints**

We operate under the assumption that all complaints are made in good faith and are not motivated by intent for personal gain, personal interest or a grudge. However, should a subsequent investigation reveal a complaint to be malicious – an accusation that the complainant knows to be false - any investigation underway must be stopped immediately and the Subject of Complaint (SoC) cleared. Complaints lodged for

genuine reasons that are subsequently considered to be unfounded shall not be treated as malicious. If a malicious complaint is made by an Act for Peace employee, disciplinary measures must be taken.

### **3. Lodging a complaint**

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#### **3.1. When to complain**

If you wish to make a complaint, lodge your complaint as soon as possible after you become aware of the concern. Act for Peace will not accept a complaint more than six months after the alleged incident, except in exceptional circumstances and then only in cases of allegations of abuse, exploitation, gross misconduct or malpractice.

#### **3.2. How to complain**

Please refer to Annex 1 attached, for a sample complaints letter format. This should serve as a guide and can be adapted as appropriate. When you have completed the details attach it to your email or letter and send it to the following contacts:

- *By email, addressed to:*  
The Support Services Director: [dsiva@ncca.org.au](mailto:dsiva@ncca.org.au)
- *By letter, addressed to:*  
The Support Services Director  
Act for Peace NCCA  
Locked Bag 199  
Sydney NSW 2000
- *By phone call to:*  
+ 612 8259 0808 (Daphne Siva)

#### **3.3. Minimum information required**

When lodging your complaint, please include your name, address and contact telephone number in your email or letter so that we can get in touch if we require further information. Where possible, let us know how you would like your complaint to be resolved.

### **4. Handling operational and sensitive complaints**

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#### **4.1. Confirmation of receipt of complaint**

The complainant shall receive confirmation of receipt of the complaint within 10 days after we receives the complaint. The email, letter or phone call should give the following information:

- When and how the complaint was received;
- How Act for Peace has responded to the complaint so far and what it will do next;
- The name of the focal point or person responsible for the complaint; and
- The person you should contact with questions or feedback.

#### **4.2. Determining the need for an investigation**

Not every operational complaint needs a formal investigation. Some operational complaints can be resolved to the complainant's satisfaction through two-way communication between the complainant and/or survivor

and the person who received the complaint. The Executive Director must decide if the allegation needs to be investigated. This can be decided by asking the following questions:

- 1) Does the complaint constitute a 'complaint' as defined by Act for Peace Complaints Policy?
- 2) Does it relate to a breach of Act for Peace or ACT policies and procedures?
- 3) Is there enough information to investigate?
- 4) Will an investigation put the lives of the complainant or Subject of Complaint or their families at risk, and if so, can all reasonable steps be taken to ensure those risks are minimised?

Management must make the best judgement giving due consideration to Act for Peace's commitment to justice, protection, accountability and transparency. If a formal investigation is required, it will follow the key steps and processes as outlined in our Guidelines for Complaints Handling and Investigations. We aim to undertake and complete an investigation within 30 days after receipt of the complaint. Investigators should submit a report 14 days after the investigation ends.

#### **4.3. Feedback on investigation outcome**

Act for Peace will communicate the preliminary outcome of an investigation to the complainant(s), where possible, 60 days after acknowledgment of the complaint. In complex or exceptional cases, the investigation period may take longer. S/he/they will, however, be informed if the investigation timeframe is extended due to circumstances beyond Act for Peace's control. S/he/they will not receive details of the investigation, but will be informed that the complaint has been substantiated and referred to management for a decision on discipline, or that the complaint was not substantiated.

#### **4.4. Appeal process**

If the complainant(s) does not accept the outcome of the complaint, he/she/they can appeal the disciplinary decision via Act for Peace's governing sub-committee: the CWSC Standing Committee. The CWSC Standing Committee should aim to convene the meeting within 30 days of the request for appeal. The CWSC Standing Committee will then make a decision regarding appropriate action that may be required to resolve the situation. The decision will be communicated in writing within 10 days of the meeting. The decision of the CWSC Standing Committee is final.

### **5. Follow up and learning**

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Act for Peace will keep a record of all complaints received. The complaints focal point(s) should develop a synthesis report of the types of complaints received and the status of their resolution annually. This report should be presented to ACT Governance. Analysis should feed into Act for Peace strategy review and future management decisions. In the case of sensitive complaints, names of complainants, witnesses, and Subjects of Complaints will not be revealed in such reports.

#### **5.1. Assistance on complaints handling**

When requested, Act for Peace will provide advice to partners on complaints handling and/or refer queries beyond its scope to a technical expert within or outside Act for Peace network. If you are an Act for Peace partner, and want to find out more about complaints handling, please contact Janet Cousens at [jcousens@ncca.org.au](mailto:jcousens@ncca.org.au).

**Annex 1: Suggested complaint letter format**

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*This form should be completed (or adapted) by the person wishing to lodge a complaint. Act for Peace aims to ensure that all complaints are handled fairly, timely and appropriately.*

**A: General data**

1. Name of the person lodging the complaint \_\_\_\_\_ Male/Female \_\_\_\_\_  
Age \_\_\_\_\_
2. Address: \_\_\_\_\_ Tel: \_\_\_\_\_ email: \_\_\_\_\_
3. Name of the person or organisation you wish to lodge a complaint against (if known):
4. Date of incident \_\_\_\_\_ Time of incident \_\_\_\_\_
5. Place of incident \_\_\_\_\_
6. Date of reporting \_\_\_\_\_ Time of reporting \_\_\_\_\_

**B: Brief description of the incident or concern**

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**C: Name of witnesses** (if any/ and if relevant) Supply the names of witnesses and where they can be contacted, if known;

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**D: State what kind of response you expect from Act for Peace and how you wish to see the matter resolved**

(Name) \_\_\_\_\_ Signature \_\_\_\_\_

Please send to:

- *By email, addressed to:*  
The Support Services Director: [dsiva@ncca.org.au](mailto:dsiva@ncca.org.au)
  
- *By letter, addressed to:*  
The Support Services Director  
Act for Peace NCCA  
Locked Bag 199  
Sydney NSW 2000

## Annex 2: Definition of key terms

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**Anonymity** in this context refers to people who lodge a complaint without revealing their identity, because they want to remain unknown or unacknowledged by name. An allegation is a breach of the organisations's policies and code of conduct.

**Complaint** is a formal expression of dissatisfaction or discontent, and/or misconduct, about someone or something. Complainant is the woman, man, girl, boy or group of people who lodge(s) a complaint.

**Confidentiality** refers to the nondisclosure of certain information except to another authorized person(s).

**Corruption** is the "offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the action of any person"

**Criminal Offence** is a breach of one or more State rules or laws that may ultimately prescribe a punishment.

**Fraud** is an intentional distortion, deceit, trickery, and perversion of truth or breach of confidence, relating to an organization's financial, material, or human resources, assets, services and/or transactions, generally for the purpose of personal gain or benefit.

**Investigation** is a systematic process through which information is gathered that proves or disproves an allegation.

**Malicious complaint** is an accusation that the complainant knows to be false - where a deliberate attempt is made to mislead.

**Physical abuse** is abuse involving contact intended to cause feelings of intimidation, pain, injury, or other physical suffering or harm.

**Psychological abuse**, also referred to as **emotional abuse** is a form of abuse characterized by a person subjecting or exposing another to behaviour that is psychologically harmful. It involves the wilful infliction of mental or emotional anguish by threat, humiliation, or other verbal and non-verbal conduct. It is often associated with situations of power imbalance, such as abusive relationships and child abuse.

**Safety** refers to the condition of being safe – being free from danger, risk, or injury.

**Sexual exploitation** means any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, sexually or politically from the sexual exploitation of another (UN SG Bulletin, 2003).

**Sexual abuse** means the actual or threatened physical intrusion of a sexual nature whether by force or under unequal or coercive conditions (UN SG Bulletin, 2003)

**Subject of Complaint** is the individual or group who are alleged to have been involved in misconduct or malpractice.

**Witness** refers to "a person who gives testimony or evidence in the investigation, including but not limited to the victim, the complainant, a beneficiary, a staff member of a partner agency, the SOC or another staff member" (BSO Investigation Guidelines)