

Trócaire

Complaints Policy - International Programmes

Version Control

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1 POLICY STATEMENT

Trócaire is committed to being accountable for our actions and the decisions we take. We aim to ensure that we listen to the needs, concerns and views of those involved in our international programme work, primarily our programme partners and the communities and individuals involved in the activities we fund.

Throughout our work, Trócaire puts systems in place to safeguard and protect individuals from any form of harm as a result of our activities. However, we recognise that mistakes can happen and we are committed to being accountable for those mistakes. We want to hear people's concerns, act on what people tell us and be answerable to them for the decisions that we make.

To this aim, Trócaire is open to hearing all feedback and complaints about our work in the countries where we work. A Complaints Handling Mechanism (CHM) is set up to manage, respond to and monitor feedback and complaints received from partners and individuals to Trócaire. In each Trócaire Country Office a CHM is set up that is user-friendly, safe and accessible.

By listening and responding to complaints Trócaire aims to:

- Be accountable to partner organisations and programme participants
- Ensure the respect and dignity of those wishing to raise a concern or complaint about Trócaire
- Be alert to problems in our work and rectify potential issues quickly
- Help us continuously to learn and improve
- Raise awareness amongst partners, programme participants and other parties about their rights and entitlements.

Nothing in this policy should be understood as taking away the right of any individual, group or organisation to seek redress under any relevant legislation.

1.1 Structure of the Policy Document

This document is set out in a manner that should provide clear guidance to Country Directors, other Trócaire staff, and third parties regarding their responsibilities in reporting and responding to Complaints while they are working with Trócaire on its international programmes.

Section 1 of the document sets out Trócaire's commitment to creating an environment where complaints are recognised as an integral part of an accountable and transparent environment. It gives clear guidelines as to what is and is not considered within the process.

Section 2 sets out the key principles of a fair and robust complaints handling process.

Section 3 Outlines the procedures that people making a complaint can expect us to follow, giving timelines and response mechanisms.

1.2 Scope

Although feedback and concerns are raised and discussed between Trócaire staff, partners and beneficiaries involved with programme activities, a formal CHM is required for those occasions when complaints cannot be resolved informally and an individual or organisation wishes to make their complaint a matter of record or receive a formal response. Any concern relating to potential abuse, exploitation or fraud will always be considered within the framework of a formal complaint.

What does the CHM cover?

In order for Trócaire to be able to respond in a meaningful way, a concern or complaint has to be about an action for which it is responsible, or one that is within its sphere of influence. For example:

- Our work in Trocaire Head Office and our Country Offices
- Implementation of projects Trócaire supports or implements
- Behaviour of Trócaire staff, volunteers or representatives
- Behaviour of partner staff supported by Trócaire funds
- Funding or programme decisions by Trócaire
- Misuse of funds by Trócaire or partner staff
- Trócaire's process of defining a public policy / advocacy position.

What does the CHM not cover?

- All internal staff issues, such as employment conditions or incidents of bullying or harassment, which are covered by Trócaire's Grievance Procedure, Dignity at Work Policy or Whistle Blowing Policy
- Issues not under the scope of Trócaire's work
- Issues related to an organisation not supported by Trócaire.

Who can use the CHM?

- Staff members of a partner organisation
- Individuals officially representing a partner organisation
- Anyone affected by our programmes, programme decisions or actions (e.g. local leaders, government representatives, representatives of other NGOs).
- Programme participants can use the CHM where the concern or complaint is about Trócaire (e.g. Trócaire staff behaviour, an advocacy position taken by Trocaire that affects them) or in an instance where they are unable to raise their complaint with partner staff directly (e.g. for security or confidentiality reasons).

Anonymous Complaints

- Trócaire will accept anonymous complaints, recognising that they may be legitimate and that there may be good reasons as to why the Complainant does not want to disclose their identity. However, following up and responding to such complaints will be more difficult.

1.3 Definitions of Feedback & Complaints

Trócaire is open to receiving concerns and complaints about our work and already provides various opportunities for our stakeholders to communicate with us. However, whereas feedback does not necessarily need a formal response, a concern or complaint does require a formal response to the individual raising it.

Feedback is a positive or negative statement of opinion (in this case, about our programmes and the behaviour of our staff or representatives) shared for information or action but *not* with the intention of lodging a complaint. We encourage that comments and feedback about our programme work are raised and discussed with responsible Trócaire staff as close to the activity as possible through ongoing dialogue and feedback loops. When concerns cannot be resolved through discussion or through the normal feedback channels, or are serious in nature, a complaint should be raised through the CHM.

A **concern or complaint** is an expression of dissatisfaction. It is a specific grievance of anyone who believes that Trócaire has failed to meet a stated commitment or of anyone who has been negatively affected by our programmes or our staff. A complaint primarily includes concerns about the standards of service, actions or lack of action by Trócaire or our staff and representatives, which include partner staff, volunteers, contractors/consultants, or anybody directly involved in the delivery of our work. Examples of complaints could include:

- Our work in our offices in Ireland, and in our country offices
- Implementation of projects Trócaire supports or implements
- Behaviour of staff, volunteers or representatives
- Behaviour of partner staff supported by Trócaire funding
- Funding or programme decisions by Trócaire
- Misuse of funds by Trócaire or partner staff
- Trócaire process of arriving at a public policy or an advocacy position

1.4 Types of Complaints

In order to manage complaints appropriately and effectively, they are categorised into two main types: non-sensitive and sensitive.

A non-sensitive complaint concerns issues such as the implementation of activities or programme decisions, or an advocacy/policy position taken by Trócaire or a partner organisation.

A sensitive complaint concerns issues related to:

- Corruption, misuse of project funds or materials
- Any violation of Trócaire's Safeguarding Policies or Code of Conduct, or rules including any form of exploitation, abuse or harassment (including sexual, physical and verbal) by staff
- Discrimination against partners or programme participants on the basis of race, gender, creed, religion, sexual orientation, age, etc.
- Any other issue judged as serious by the Trócaire Country Director such as violation of local laws, concerns around safety or harm of individuals arising from the way Trócaire is conducting its work.
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2 PRINCIPLES OF AN EFFECTIVE FEEDBACK AND COMPLAINT MECHANISM

Trócaire endeavours to adhere to principles of best practice when managing and responding to complaints.

2.1 Consideration for the local context

Trócaire works in a variety of geographical locations with great variations in how feedback and complaints are given and perceived. Trócaire is committed to giving clear guidance to staff, partners and other organisation, including funding organisations, on the Policy for Managing Complaints which will be adapted and applied in these difference settings. Therefore, where relevant, this policy will also be supported by a document outlining particular in-country considerations.

2.2 Confidentiality

Confidentiality helps create an environment in which people are more likely to raise concerns, complain or stand in witness to bad practice or incidents of abuse. The CHM ensures that all complaints are handled in a confidential manner. To ensure this, complaints are only handled by designated staff members, whether at Head office or in each of Trócaire's Country Offices. All information regarding complaints is considered confidential and information is shared on a need-to-know basis. All information regarding sensitive complaints is filed in a secure restricted-access system within Trócaire.

2.3 Accessible and Transparent

A CHM is transparent when all stakeholders are aware of the purpose and process, understand how it works and are able to use it in a way that is most accessible for them. Trócaire will share this CHM with all partners and will explore with them the best ways of ensuring the process is user friendly and accessible for the communities where we work.

2.4 Safety

A safe CHM will consider potential dangers and risks to all parties involved in the process. Trócaire will endeavour to ensure that there is no retaliation against individuals in response to complaints made against Trócaire or a Trócaire partner. Confidentiality as outlined above is one element of protection. Considerations of the local context and the particular circumstance of each complaint will also help identify any potential risks.

2.5 Caring for people involved in a complaint

Trócaire recognises it has a duty to ensure that advice and support is available for all parties involved in a complaint. Each country office will have details of local networks and structures where relevant support may be available.

2.6 Responsive, Objective and Fair

Trócaire will ensure that complaints are acknowledged promptly and that Complainants are advised of the process and when an outcome has been reached. Trócaire will respond to complaints in an equitable, objective and unbiased manner.

2.7 Working in Partnership

Arrangements for CHM will be outlined in Partner Grant Agreements to ensure there are clear guidelines regarding accountability, visibility and communication between Trócaire and partners.

2.8 Remedy and Review

Trócaire will work with relevant parties to endeavour that complaints are satisfactorily resolved. It is envisaged that Trócaire's response will mostly fall into three types of resolution: Practice change, making good and restitution. In giving feedback we will advise the Complainant of the mechanisms for appeal if they are unsatisfied with the outcome.

2.9 Monitoring, Reporting and Learning

Trócaire regards complaints as useful feedback to help us identify issues that we need to address in our programmes, partnerships, in the way we work and in the CHM itself. Trócaire aims to adapt and evolve in response to all feedback, including complaints that we receive.

3. PROCEDURES

3.1 How to make a complaint

Each country office will set out the mechanisms for giving feedback and making complaints giving consideration to the local context. Options will include phone contact, e-mail and in-person, Trócaire Website.

When receiving a complaint Trócaire will ask the Complainant for further details (including contact details) to enable us to investigate the complaint effectively. While it is possible to make an anonymous complaint, it will be more difficult to investigate these and to give feedback.

3.2 Acknowledgment of receipt of complaint

Trócaire will send confirmation of receipt of any complaint to the individual either by email, letter or phone call (based on the method the complaint was received) within 2 working days, including timelines for feedback and expected resolution. Each complaint will be assigned a Complaint Manager.

3.3 Management of Complaints

In reviewing complaints Trócaire will firstly consider who the complaint relates to – Trócaire, Partner Organisation or another organisation. If the complaint relates directly to Trócaire, then the complaint is managed by Trócaire (see 3.3.1). If the complaint refers to a Trócaire Partner or another organisation (see 3.3.2 and 3.3.3) then the complaint may be referred onward for management of the complaint. Trócaire will discuss the process with the Complainant in advance of onward referral.

3.3.1 Complaints relating to Trócaire

These complaints will be managed and investigated by Trócaire. The Complaint Manager will contact the Complainant within 2 calendar weeks of receiving the complaint to provide an update on the status of the complaint and/or conclusion of the review/investigation and of the proposed actions and expected timelines:

- For non-sensitive complaints the Complainant will be informed of actions taken and decisions reached
- Due to the nature of sensitive complaints full details may not be disclosed. The Complainant may be advised as to whether the complaint was substantiated or not substantiated.

3.3.2 Complaints relating to Trócaire Partners

Trócaire will work with its partners to handle complaints arising in country programmes. If Trócaire receives a complaint about a partner, the Country Director or relevant Manager will manage the complaint.

If the complaint is classified as non-sensitive, the complaint is referred to the partner to manage within their own system. Trócaire and the partner will discuss any programme issues that need to be adapted or changed to prevent similar issues from happening in future programmes. The partner is responsible for processing, investigating and resolving the complaint.

If the complaint is classified as sensitive, the Country Director or relevant Manager will consider the most approach mechanism (i.e. handled under partner complaints mechanism or Trócaire's complaints mechanism). The Complainant will be advised of the process to be followed.

3.3.3 Complaints relating to another organisation

All complaints about the activities or staff of a non-Trócaire funded programme or organisation, should be referred directly to the senior management of the organisation concerned. Complaints which are not related to Trócaire funded activity or Trócaire partners should be referred to the Country Director for onward referral.

3.4 Resolution of Complaints relating to Trócaire

Trócaire will endeavour to adhere to the timelines as stated when acknowledging the complaint. If due to on-going investigation (because of the complex or sensitive nature of the issue) these timelines cannot be adhered to than the person making the complaint will be informed of the revised timelines.

It is envisaged that Trócaire's response will fall into one of the following three types of resolution and action:

- **Practice change:** Our response will be a formal acknowledgement that practice fell short of the standards we set ourselves and reassurance that Trócaire's practice will change as a result. We shall acknowledge the validity of the complaint, shall demonstrate change of Trócaire practice in the future, and shall reassure the Complainant that there is a change in practice.

OR/AND

- **Making good:** Trócaire will repair and/or replace the damage or omission i.e. making good to the Complainant(s).

OR/AND

- **Restitution:** Trócaire will provide restitution to the Complainant(s) where 'loss' or 'damage' is of such a nature that it cannot be made good.

3.5 Appeals to Trócaire

Trócaire aims to satisfactorily resolve a complaint for all involved. Where a Complainant is not satisfied with the outcome of the complaint, despite having had the opportunity to request further clarification or feedback, they can appeal the decision once.

- A formal written letter of appeal should be submitted directly to one of Trócaire's **Appeal Managers:**
 - Director International Division
 - Executive Director
 - Chair of the Board of Directors

3.6 Withdrawn Complaints

- When a complaint of a non-sensitive nature is withdrawn Trócaire will consider this complaint as resolved and deem the complaint closed.
- When a complaint of a sensitive nature is withdrawn Trócaire will consider the need to continue to investigate and follow-up giving consideration as to why the complaint was withdrawn.

3.7 Situations where Trócaire will stop responding to a complaint

Trócaire will treat all parties involved in a complaint with the upmost respect and dignity. We see our CHM as an important part of our accountability to everyone we work with. We therefore, may consider the need to stop responding to a complaint when Complainants behave abusively, harass staff or unreasonably pursue their complaint. Should this occur the Country Director or relevant Manager will inform the Complainant of Trócaire's decision in this regard.