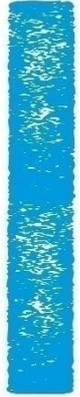


Trōcaire



**COMPLAINTS POLICY
INTERNATIONAL
PROGRAMMES**

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POLICY MANAGEMENT INFORMATION

Title:	<i>Complaints Policy – International Programmes</i>
Author (Responsible):	<i>Head of Safeguarding</i>
Owner (Accountable):	<i>Director of International</i>
Division:	<i>International</i>
Contact:	<i>Head of Safeguarding</i>
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Applicable to (Informed):	<i>All Country Offices</i>
Communicated on:	<ul style="list-style-type: none"> • <i>For staff: The updated policy was launched via an email from Trócaire’s CEO on 26/5/22 & Head of Safeguarding on 27/5/22</i> • <i>For External Stakeholders: The policy on Trócaire website was updated</i>
Last reviewed:	<i>19/05/22</i>
Summary of key changes:	<ol style="list-style-type: none"> 1. <i>Roles & Responsibilities moved from staff guide to policy</i> 2. <i>Section 4.7 updated to reflect working in partnerships and inclusion of how CHM reaches communities and most vulnerable</i>
Frequency of review:	<i>3 years</i>
Date of next review:	<i>May 2025</i>
Related policies, procedures & training (i.e. E-learning platform):	<ul style="list-style-type: none"> • <i>Safeguarding Policies</i> • <i>Fraud Policy</i> • <i>Code of Conduct</i> • <i>This policy is supported by guidance materials and powerpoint presentations. Local complaints managers and administrators have responsibility for ensuring teams are aware of local systems</i>

DECISION-MAKING IN RELATION TO THE POLICY

Responsible (Author)	<i>Head of Safeguarding</i>
Accountable (Owner)	<i>Director of International</i>
Consulted	<i>OMG, Policy Steering Committee (CHS & CI Audit Reports)</i>
Informed	<i>All staff</i>

KEY MESSAGES

<p>Why do we have this policy?</p>	<p>Trócaire is committed to being accountable for our actions and the decisions we take. We aim to ensure that we listen and respond to any feedback, questions or complaints in relation to our work. This policy therefore provides information on how Trócaire receives and manages complaints relating to our International work.</p>
<p>Who does this policy apply to?</p>	<p><i>All staff working in our international programmes should know this policy. In addition, this policy should be available for external stakeholders. Key messages (on how to raise a complaint) should be widely circulated.</i></p>
<p>What are the key things I need to know?</p>	<ul style="list-style-type: none"> • <i>Take all complaints seriously</i> • <i>Know the process for reporting and responding to complaints</i> • <i>Share with external stakeholders how they can raise complaints to Trócaire</i> • <i>Ensure that all complaints are forwarded through the appropriate process</i> • <i>Ensure any complaints that you manage (if within your role) are fully documented in accordance with this policy.</i>
<p>What are the key things I need to do?</p>	<ul style="list-style-type: none"> • <i>You need to familiarise yourself with your responsibilities for receiving and responding to complaints. The Complaints Policy International – Staff Guide provides more detail</i> • <i>Know who to refer sensitive complaints to.</i>
<p>Where can I find more information?</p>	<ul style="list-style-type: none"> • <i>Complaints Policy International – Staff Guide which is available on Box</i> • <i>Ask your line manager or Country Director who can outline specific procedures within your country office.</i>
<p>Support Implementing the Policy</p>	<p>This policy has been developed in consultation with key stakeholders across the organisation and subject matter experts. If you are unsure of how the policy applies to you, please contact the Policy Author.</p>

1. Purpose / Introduction

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, programme participants and other parties
- 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.

2. Definitions

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:

- One section of a community is being favoured over another for programme activities
- Misuse of Trócaire funding
- Misbehaviour of a partner staff member
- Dissatisfaction with a specific policy of Trócaire

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.

3. Scope

Although feedback and concerns are raised and discussed between Trócaire staff, partners and programme participants 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
- Issues related to the implementation of projects supported by Trócaire
- Behaviour of Trócaire staff, volunteers or representatives
- Behaviour of partner staff working on projects supported by Trócaire funds
- Funding or programme decisions by made Trócaire
- Misuse of funds by Trócaire or partner staff
- Trócaire's process of defining a public policy or Trócaire's advocacy position.

What does the CHM not cover?

- Some internal staff issues which are already covered by Trócaire's Grievance Procedure, (this policy is available for staff on the internal Global Policies folder)
- 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.

4. Policy Principles

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

4.1 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.

4.2 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 complaints is filed in a secure restricted-access system within Trócaire.

4.3 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. See also section 4.7 & 6.3.2

4.4 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.

4.5 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.

4.6 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.

4.7 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.

We work with partners and personnel in-country to ensure that they:

- Understand their obligations to receive and manage complaints
- Consult with communities to understand what works best
- Provide multiple options for making a complaint that are easy to use and accessible (including for children)
- Make the process culturally appropriate
- Handle complaints in line with relevant organisational policies, procedures, contracts and the law
- Record, report and include appeal process (where required) to Trócaire

Receiving complaints and feedback from communities and programme participants is important. It helps both our partners and us. It is also part of the monitoring and evaluation of programs or projects. We will continue to work with our partners to strengthen their own feedback and complaints mechanisms.

Trócaire staff are trained to create opportunities for feedback and complaints during field visits to partner programmes.

4.8 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.

4.9 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.

4.10 In keeping with sector best practice

Trócaire continuously update our complaints systems to incorporate new learning, deliver on our accountability commitments and ensure compliance with sector best practice and standards (including Core Humanitarian Standards (CHS), Caritas Internationalis (CI) and donor contract requirements).

5. Roles and Responsibilities

Role	Responsibility & Expectation <i>Note some people may have more than one role (e.g. a manager who is also a complaints manager)</i>
All Staff	To ensure that the Complaints Policy is implemented. <ul style="list-style-type: none"> - Read and understand the policy and ask questions (line manager or CD if you are unsure) - Inform partners and project participants about the CHM - Ensure complaints received are forwarded without delay to the Complaints Administrator - Promote an open and approachable working environment
All Managers	To ensure all staff are supported and that systems and procedures exist to implement and monitor all complaints <ul style="list-style-type: none"> - Consult the policy when supporting programme teams and programme development - Ensure the requirements of this policy are included in grant agreements with partners - Ensure mechanisms are in place for making complaints - Ensure that all partners and programme participants know how to make a formal complaint
Complaints Administrator	To ensure there is a system in place for receiving, assigning and recording of complaints <ul style="list-style-type: none"> - Ensure a mechanism is in place for receiving and responding to complaints with associate timelines - Forward complaints to appropriate Complaints Manager - Monitor timelines and keep accurate recording system - Forward monthly logs to the Head of Safeguarding

<p>Complaint Manager</p>	<p>To ensure that the complaint is resolved in a timely and fair resolution to complaint</p> <ul style="list-style-type: none"> - Liaise with the complainant and other relevant parties at key interval throughout the process - Maintain records of all correspondence, meetings and activities - Investigate complaints as appropriate - Forward to Line Manager or Head Office as appropriate - Liaise with Investigation Team as appropriate - Ensure resolution actions are followed - Ensure opportunity for appeal is available and communicated where resolution cannot be agreed
<p>Country Director</p>	<p>Ensure that the country office has systems and procedures in place which are in line with the Complaints Policy so that any complaint is responded to in a timely, fair and clear manner.</p> <ul style="list-style-type: none"> - Ensure systems are in place and functional - Ensure staff roles in CHM's are clear and that all staff are aware of their own role and responsibilities - Ensure Grant Agreements contain relevant agreement in relation to CHM and that partners are fully aware of Trócaire's commitment to a CHM - Ensure mechanisms are in place for programme participants to engage with Trócaire's and partners CHM - Manage complaints and investigations as outlined in the policy
<p>Head of Portfolio</p>	<p>Support the Country Directors within their assigned countries to develop and implement a robust CHM. Manage complaints if they relate to the Country Director.</p> <ul style="list-style-type: none"> - In the absence of a Country Director in a particular country assume their responsibilities as above - Encourage and support Trócaire staff and partners to implement CHM principles - Support Country Director to ensure systems are in place
<p>Head of Safeguarding & Complaints Management</p>	<p>To drive the development of Complaints Mechanisms within the organisation. Report on complaints statistics and outcomes to ELT. Highlight emerging trends and considerations for policy or programme development as identified through complaints received.</p>
<p>Executive Leadership Team</p>	<p>To keep oversight and monitor the implementation of the policy, including systems and procedures</p> <ul style="list-style-type: none"> - Monitor organisational progress in terms of CHM - Have oversight of overall complaints and key learnings - Support implementation of key changes identified through the CHM
<p>Appeal Managers</p>	<p>Appeals are escalated via the line management structure.</p> <ul style="list-style-type: none"> - Review of complaint received - Review of evidence gathered - Examine for gaps in evidence - Reach conclusion

6. Procedures

6.1 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 follow-up and/or 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.

6.2 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.

6.3 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 6.3.1). If the complaint refers to a Trócaire Partner or another organisation (see 6.3.2 and 6.3.3) 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.

6.3.1 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.

6.3.2 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.

6.3.3 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.

6.4 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.

6.5 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** which may differ depending on the nature of the complaint and whom was appointed to managed the initial complaint. Relevant contact details will be shared with the complainant as part of the feedback on the outcome of the complaint. Appeals are escalated via the line management structure.

6.6 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.

6.7 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.