

Nusa Tenggara Association

Complaints and Complaints Handling Policy

(Note: Child Protection and PSEAH Complaints are outline in the NTA Safeguarding Policy)

v2.2 October 2023

Preamble

The mission of the Nusa Tenggara Association (NTA) is to alleviate poverty in the province of Nusa Tenggara Timur, Indonesia. The NTA sponsors economic and social development activities selected by our sponsored communities, ranging from building water tanks and wells, through providing farming equipment and training to local farmers, to supplying books for schools and training local teachers. We employ and provide training to over twenty Indonesian staff in West Timor and Flores through our counterpart organisation, Nusa Tenggara Association – Indonesia (NTA-I).

The NTA recognises the importance and value of listening and responding to concerns and complaints. We are committed to continuous improvement and achieving the highest standard we can in every area of our work. This applies especially to delivery of services, seeking donations, and accountability to stakeholders generally. We are committed to working at or above the standard required by the Code of Conduct of the Australian Council for International Development (ACFID). Receiving concerns and complaints is one of the most important ways of learning how to improve our work.

Definitions

- **Complaint** means an expression of dissatisfaction made to an organisation, related to its products or services, or the complaint handling process itself, where a response or resolution is explicitly or implicitly expected.
- **Complainant** means a person, organisation or its representative making a complaint.
- **Inquiry** means a request for information or an explanation.
- **Feedback** means opinions, comments, suggestions, and expressions of interest in the products or services or the complaint-handling process.

Scope of the policy

This Policy is intended to apply to any complaint, regardless of who it is made by.

We will accept complaints relating to our paid staff, our volunteers, our partner organisations, our contracted service providers, and anyone else acting on our behalf.

A complaint may be made by any person to whom we deliver services or goods or who is affected by our services or goods, a partner, a local organisation with which we work, our staff, volunteers, donors, or a member of the public.

Related policy – NTA Whistleblower Policy

NTA has a Whistleblower Policy which provides an additional pathway for reporting of corruption, fraud, bribery, and other financial impropriety.

The purpose of this policy is to:

1. Encourage the reporting of matters that may cause harm to individuals or financial or non-financial loss to the NTA or damage to its reputation.
2. Enable NTA to deal with reports from whistleblowers in a way that will protect the identity of the whistleblower as far as possible and provide for the secure storage of the information provided.
3. Establish policies for protecting whistleblowers against reprisal by any person internal or external to the organisation.
4. Help to ensure NTA maintains the highest standards of ethical behaviour and integrity.

The Whistleblower Policy is a stand-alone document and published on NTA's website.

Where and how complaints may be made

Note that complaints regarding child protection and prevention of sexual exploitation, abuse and harassment have additional requirements which are outlined in Appendix 2 of the NTA Human Rights Policy.

Complaints may be made orally in person or by email, telephone or in writing by post. Complaints may be made by a friend or advocate of the complainant on their behalf.

Concerns of a general nature can be raised with any member of the NTA Board or with the Executive Officer.

Complaints of a serious nature should be directed to either the Chief Executive Officer or the Chair of the Board.

Regular monitoring trips are conducted to NTA's implementation sites and active consultation is undertaken with in-country implementing partners and employees and with community representatives. Complaints can be raised directly with NTA members of these monitoring trips.

We recognise that in some circumstances complainants may wish to remain anonymous. Given that such complaints can alert us to problems that need addressing, they will be accepted, though clearly it may not be possible to provide a remedy to the individual concerned.

The Board will be advised of all formal complaints and reported incidents.

Contact addresses for complaints:

Postal address:

**Nusa Tenggara Association
P.O. Box 5080
Garran ACT 2605
Australia**

Email address:

enquiries@nta.org.au

A complainant may also refer a complaint alleging a breach of the ACFID Code of Conduct directly to the ACFID Code of Conduct Committee.

Educating our organisation on the Complaints Policy and complaints handling

Our Complaints Policy is provided on our webpage, and we ensure all our paid staff, volunteers, partners, contracted service providers, and all others acting on our behalf are made aware of the policy.

Publicising the Policy

We make clear the value we place on receiving concerns and complaints in all relevant communications. We use the word “complaint” or its equivalent in relevant languages other than English. Our website contains information on how to make a complaint. Where literacy is a constraint, we will orally invite expressions of concern and complaint on a regular basis. We will take care to give this invitation in a way that is culturally appropriate, recognising that in some cultures people require greater encouragement to make a complaint.

We ensure that making a complaint to NTA is as easy as possible. We will take complaints orally in person, over the phone and by any written means. We will do our best to assist a complainant to put their complaint in writing or to write it down ourselves as faithfully as we can.

We will monitor how effectively we are publicising our complaints policy on a continuing basis.

How complaints are handled

When we take an oral complaint, we will:

- Identify ourselves, listen, record details, and determine what the complainant wants;
- Confirm that we have understood and received the details; and
- Show empathy for the complainant, but not attempt to take sides, lay blame, or become defensive.

For all complaints we will:

- Ensure that the complaint is appropriately acknowledged;
- Seek from the complainant the outcome/s they are expecting;
- Make an initial assessment of the severity of the complaint and the urgency of action;
- Clearly explain to the complainant the course of action that will follow (including referral to the relevant authorities if the complaint is of a criminal nature, further investigation, or no further investigation);
- Avoid creating false expectations, but assure the complainant that the complaint will receive full attention;
- Give an estimated timeframe or, if that is not possible, a date by which we will contact them again;
- Check whether the complainant is satisfied with the proposed action and, if not, advise them of alternatives;
- Follow up where necessary, and monitor whether the complainant is satisfied;
- Register and record the complaint. Organisational records are to be kept of all misconduct complaints, noting that complaints can be de-identified at the request of the complainant or survivor.

We will ensure that a complainant is not required to express their complaint to a person implicated in their complaint. We will also ensure that a person implicated in a complaint is not involved in any way with the handling of that complaint.

We will abide by all mandatory reporting requirements. We are obligated in certain circumstances to report to authorities, such as law enforcement agencies, DFAT or ACFID.

To determine how a complaint should be managed, we will assess it in terms of the following criteria:

1. Severity;
2. Health (including mental health) and safety implications;
3. Financial implications for the complainant or others;
4. Complexity;
5. Impact on the individual, public and organisation;
6. Potential to escalate;
7. The need for, and possibility of immediate action.

If we assess the complaint as significant in terms of one or more of these criteria, we will classify the complaint accordingly.

Complaints about other organisations

Complaints that are made about another organisation and/or their personnel will be referred to that organisation. It is the responsibility of that organisation to resolve it under their own complaints-handling mechanism. However, in the case of complaints handled by the NTA-I regarding its own personnel and activities or that of contracted partners, the Chair of NTA-I will keep the CEO and/or Chair of NTA informed of the complaint and its handling. Where appropriate, these complaints will be recorded and reported by the NTA.

Inquiries, minor complaints, and jurisdiction

We will endeavour to deal immediately with inquiries and minor complaints which are made orally by telephone or in person, that is, during the initial phone call or meeting.

On receipt of a complaint, we will also attempt to determine expeditiously whether investigation is required, depending on jurisdictional questions and whether the complaint is ill-conceived.

If the complainant disputes an assessment that a complaint should not be investigated, the member of staff handling the complaint will refer it to a more senior colleague for review. If such a dispute is unresolvable, we will refer the complainant to the ACFID Code of Conduct Committee.

How complaints are investigated

We will make every reasonable effort to investigate all the relevant circumstances and information surrounding a complaint. The level of investigation will be commensurate with the seriousness of the complaint.

The person handling the complaint will determine what resources are needed for the investigation and secure those resources, including the assistance of other employees or external professional help (including lawyers, accountants, forensic analysts, or operational experts).

Where the complaint involves fraudulent acts, the person handling the complaint should refer to the procedures in NTA's Fraud Policy. Each complaint within the scope of the policy will be investigated.

The person handling the complaint will:

- establish the facts and gather the relevant information; and
- if necessary and/or practicable, interview those involved.

If, after investigation, it is felt that there is a case to answer by the person complained about, then the matter would be referred to the Chief Executive Officer for the appropriate [disciplinary – DELETE?] action. Other organisational policies and procedures and the relevant employment law should also be followed.

If the person handling the complaint decides it is not possible to resolve a complaint within NTA, they may refer the complaint to external processes such as mediation or statutory complaints-handling bodies.

Where possible, the complainant will be advised in writing of the reasons for the decision, and of the proposed strategy for dealing with the complaint.

The person handling the complaint will prepare an Investigation Report and forward it to the Chief Executive Officer (or the Chairperson of the Board if the Chief Executive Officer is party to the Complaint) and a designated member of the Board. The Chief Executive officer in consultation with the designated member of the Board has final responsibility for the resolution of the complaint.

An organisational record must be kept of all misconduct complaints, noting the ability to de-identify complaints at the request of the complainant or survivor.

Timeframes

We will acknowledge written complaints within five days of receipt of the complaint. We will acknowledge oral complaints immediately.

We will aim to resolve complaints as quickly as possible and within 30 days unless there are exceptional circumstances. If a complaint is not resolved within 30 days, we will inform the complainant of progress every two weeks.

Responding to and closing a complaint

Our CEO, the Chair of the Board, or another member of the NTA Board designated by the CEO, will normally make the decision on a complaint that has required investigation (that is, not a minor complaint).

We will communicate the decision to the complainant as soon as practical. Written complaints will be responded to by email or letter. Where appropriate, such as in the case of a complaint being made by a local community member, we will also communicate our decision orally.

We will encourage the complainant to respond and advise whether they are satisfied with the decision. The decision will indicate that if the complainant is not satisfied we will be prepared to consider any additional information they may provide and to review our decision.

In all cases we will advise that the complaint may be referred to the Code Committee of ACFID. We will provide all necessary information for referral to the Code Committee and offer to assist in referral.

Outcomes of complaints

We will ensure that all relevant personnel are informed of the outcomes of complaints and the implications for our services, goods, procedures, and processes.

We will take all required remedial action. We will be prepared to change the way in which we operate or undertake further training of staff. Where needed we will counsel or discipline staff or volunteers.

Where appropriate we will consult and take advice from ACFID and/or other relevant regulatory/enforcement authorities.

Confidentiality

We will not reveal a complainant's name or personal details to anyone in or outside our organisation, other than staff involved in handling the complaint, without obtaining the complainant's permission.

Recording complaint data

We will appropriately record all inquiries and complaints, ensuring the following information is recorded:

- Date of receipt;
- A description of the complaint and relevant supporting data;
- The requested remedy;
- The product, service, practice or procedure complained about;
- The due date for a response;
- Immediate action taken (if any) to resolve the complaint; and
- Any subsequent action taken.

Reporting about complaints

We will immediately escalate complex and/or major complaints to our CEO, the Chair of the Board, or their delegate.

Complaints will then be reported to the Board. Significant complaints will be reported as soon as possible to the Board and followed up with a detailed report. Minor complaints will be reported to the Board in summary form.

Continuous improvement in complaint handling

We will continually monitor the effectiveness of our complaint handling and make improvements as appropriate.

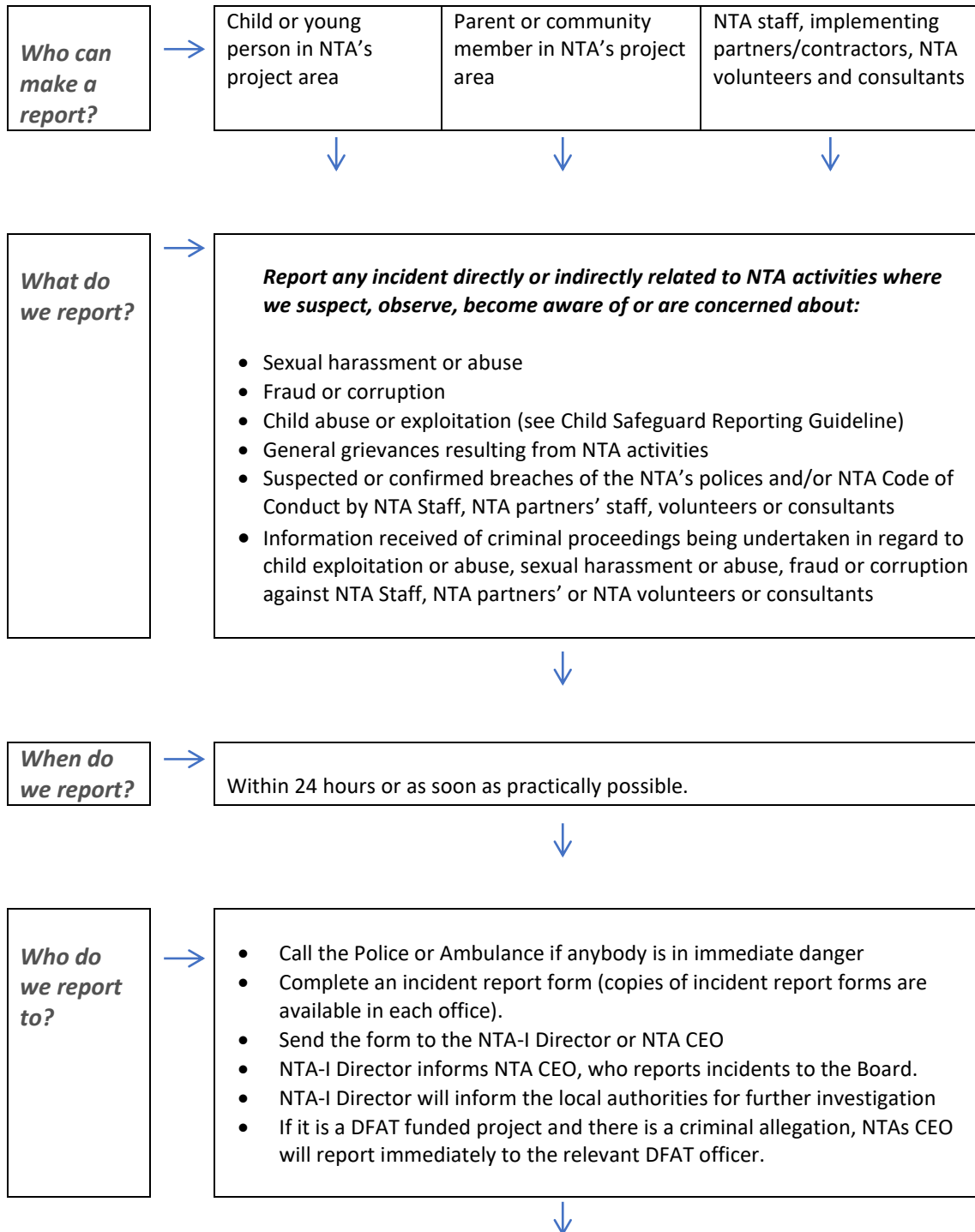
We will conduct an internal review of the effectiveness of our complaint handling every year.

We will commission an independent review of the effectiveness of our complaint handling every five years.

NTA values a healthy and respectful workplace.

NTA has a zero tolerance approach towards child exploitation or abuse, sexual harassment or abuse and fraud or corruption. NTA encourages staff, volunteers, partners and beneficiaries to report any observations or concerns immediately, following the guidelines below.

A) NTA Incident Reporting Procedures



What's our initial response?



- If allegation may constitute a criminal offence, make a report to the local police. If the alleged offender is an Australian citizen, also report to the Australian Federal Police.
- The NTA CEO or NTA-I Director will take necessary actions (formal warning, transfer to other duties, suspension, dismissal - depending on the allegation and results of further investigation by authorities)
- Address the support needs of both the victim and the person who is the subject of the allegation
- Keep accurate file notes
- Handle all reports confidentially
- Always apply principles of natural justice

B) Definitions:

Child:	Those under 18 years of age
Child abuse:	Child abuse includes physical abuse (deliberate injury of a child), sexual abuse, emotional abuse (where a child is repeatedly rejected or frightened by threats), neglect, bullying, child labour and domestic violence.
Child Exploitation:	One or more of the following: <ul style="list-style-type: none"> - committing or coercing another person to commit an act or acts of abuse against a child - possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material - committing or coercing another person to commit an act or acts of grooming or online grooming - using a minor for profit, labour, sexual gratification, or some other personal or financial advantage
Fraud:	Dishonestly obtaining a benefit, or causing a loss, by deception or other means. In this definition, "benefit" refers to both tangible items, such as money or objects, and intangible benefits including power, status or information.
Corruption:	Corruption is the abuse of entrusted power for private gain. Corruption can be large or small scale, political in nature and usually perpetrated for financial gain.
Sexual Abuse:	Rape, sexual assault or sexual acts to which a vulnerable adult has not consented or has been coerced into giving consent through abuse. Engaging a child sexually regardless of consent.
Sexual Harassment:	Any unwelcome sexual advance, request for sexual favours or conduct of a sexual nature in relation to the person harassed in circumstances where a reasonable person would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

C) Contact details:

Position	Name	Email	Phone
CEO, NTA	Wendy Emerton	schwendos@gmail.com	+61 (0) 405430904
Director, NTA-I	Yanes Do Djeta	yeanejadja2903@gmail.com	+62 852-5307-2707
Child Safeguarding focal person Australia	Ria Gondowarsaito	ria081954@gmail.com	+62 852 8041 9539
Child safeguard focal person Indonesia (administrative officer)	Tina Niat	tina_910@yahoo.co.id	+62(0) 85280419539
DFAT Child Protection Section		childwelfare@dfat.gov.au	
DFAT PSEAH Prevention of Sexual Abuse and Harassment		pseah.consultations@dfat.gov.au	
ACFID Code of Conduct		code@acfid.asn.au	

Reviewing this statement

This statement will be reviewed every 5 years or as necessary to assess its effectiveness, appropriateness and accuracy.

Version control

Version	Date	Approved by Board	Details
1.0	15 November 2014	2014	Complaints/Complaints Handling Policy issued.
2.0	31 July 2018	31 July 2018	Policy reviewed and updated to reference new Whistleblower Policy and minor editing.
2.1	July 2021	July 2021	Policy reviewed and updated to include reporting diagram and minor updates
2.2	October 2023	Oct 2023	Update of contacts