



EXTERNAL COMPLAINTS POLICY

SHINE CAMBODIA INCORPORATED

Approved Date

22 September 2017

Approved by

The Board

Next Review Date

22 October 2018

Policy Owner

Project Manager

1. Overview

Shine Cambodia Incorporated (Shine) recognises the importance and value of listening and responding to concerns and complaints from stakeholders, supporters and the community.

Shine adheres to The Australian Council for International Development (ACFID) Code of Conduct and is committed to working to or above the standard required.

2. Scope

Under this External Complaints Policy ('the Policy'), anyone has the right to raise a complaint regarding Shine, our operations or our Representatives and their conduct. We will accept complaints relating to our paid staff, volunteers, partners, contracted service providers or anyone else acting on our behalf.

This Policy will be shared and understood by all partners and Representatives of Shine.

This Policy only applies to external complaints. If you are a Representative and wish to raise an internal complaint, you should refer to the Internal Complaints Policy.

3. Definitions

Complainant means an external person or organisation (or a person acting on the Complainant's behalf such as their lawyer) that is making a complaint against Shine or its Representatives.

Complaint(s) means any external grievance expressing dissatisfaction regarding Shine, or any of its Representatives where a response or resolution is expected. Any general enquiry, request for information or request to unsubscribe or be removed from a database is not a complaint.

Partner means a locally-based organisation located in a country implementing a humanitarian development project and/or education program in partnership with Shine. Only some Partners receive financial support from Shine.

Representatives means employees, contractors, volunteers, Community Leaders and anyone else performing work for Shine.

Stakeholders includes supporters, third parties and any other external individual or organisation that has an interest in this Policy or the performance of Shine.

4. Making Complaints

4.1 Who can make a complaint?

A complaint may be made by any of the following people:

- Any person who has, is currently or is interested in being involved with our operations (other than a current Representative);
- Any of Shine's partners;
- Any local organisation with whom Shine works;
- Any of Shine's donors; and
- Any member of the public.

Complaints may be made by someone on the Complainant's behalf.

4.2 How to make a complaint?

Complaints can be made orally in person or by email to contact@shinecambodia.org. Where

complaints are made orally, we will ensure our reporting of the complaint contains all the information the Complainant wishes to provide.

Complaints can be made anonymously, however this may hinder Shine's ability to provide a remedy to the Complainant.

5. Handling Complaints

5.1 Oral complaints

Oral complaints are received by either the Chief Executive Officer in Australia or Project Manager in Cambodia. When we take an oral complaint, Shine will:

- Identify ourselves, listen and record details;
- Limit access to complaint information to a need-to-know basis and ensure that any person who could be a subject of the complaint is excluded from access;
- Confirm that we have understood and received the details;
- Show empathy for the Complainant but not attempt to take sides, lay blame or become defensive; and
- Take written notes that will aid in compiling a written report.

5.2 Initial response

Regardless of how a complaint is made, Shine will:

- Acknowledge the complaint (written complaints will be acknowledged within five business days and oral complaints immediately);
- Provide the Complainant with a copy of this Policy upon the Complainant's request;
- Assign a person as the key point of contact;
- Avoid creating false expectations but assure the Complainant that the complaint will be taken seriously;
- Ascertain the outcomes the Complainant is expecting;
- Make an initial assessment of the severity of the complaint and the urgency of the action;
- Clearly explain to the Complainant the course of action that will follow, including situations such as if:
 - The complaint is out of our jurisdiction;
 - › We may exercise a discretion not to investigate;
 - › Further enquiries need to be made or the complaint will be investigated; or
 - › Third parties need to be involved.
- Provide an estimated time frame for resolution or, if that is not possible, a date by which we will contact them again; and
- Ensure a Representative registers the complaint.

5.3 Assessing the complaint

When classifying and assessing a complaint, Shine will:

- a) Determine whether there is more than one issue raised in the complaint and whether they need to be separately addressed;
- b) Determine if the complaint is within the jurisdiction of Shine's. For example, if it relates to the actions of another organisation, it may be best dealt with by them. It may also be a matter that should be dealt with by the police or other authority (e.g. thefts, assaults, damage to property).

- c) Classify the complaint as either minor or significant. A significant complaint is one that involves:
- i) Allegations of:
 - criminal acts;
 - discrimination, bullying or harassment;
 - personal injury;
 - legal or financial breach OR
 - ii) Third parties or external parties (such as lawyers, ACFID, the Human Rights Commission) OR
 - iii) A potential significant risk to Shine's operations, safety, finances or reputation.

5.4 Handling significant complaints

Where a significant complaint arises, Shine will take the following steps:

- a) Ensure there is a complete record of the complaint and the events leading to the complaint;
- b) Alert the Chief Executive Officer (if they are not already involved and if the complaint is unrelated to them);
- c) The Chief Executive Officer will then escalate this complaint to the Board;
- d) Investigate the complaint further where needed and decide on a list of further steps to satisfy the Complainant;
- e) Contact the Complainant and notify them of the steps that have/will be taken in relation to their complaint;
- f) Ensure the Complainant is satisfied with the resolution; and
- g) Implement any further steps required to prevent the same or similar complaints from arising.

This process should be completed within 45 days, unless there are extenuating circumstances in which case the Complainant should be contacted regarding the delay. Throughout this process, Shine may consult ACFID or other relevant regulatory authorities.

5.5 Handling minor complaints

Minor complaints are those that can be easily and promptly resolved and pose a minimal risk to Shine. Any complaint that is based on a misconception that can be quickly rectified is also a minor complaint.

Minor complaints should be dealt with quickly by whomever receives it or, if required, the relevant manager or executive team member. The complaint should still be recorded on the Complaints Register.

Handling unreasonable complaints

Unreasonable complaints are those that are either unreasonable demanding or involve threats to the organisation, themselves or others.

Complainants may also be unreasonable where they are rude, irrational, refuse to cooperate, refuse to accept the appeal outcome or are excessively demanding.

In these situations, Shine and Representatives will:

- Recognise that each individual handles frustration in different forms;
- Uphold the values in this Policy by respecting Complainants and guiding the Complainant through the complaints process; and
- Refer the Complainant to this Policy which outlines the Complainant's rights.

While Shine aims to ensure its complaints process is accessible to all, we also have a responsibility to provide a healthy and safe work environment for Representatives. As such, an unreasonable Complainant may be referred to an external agency to handle the complaint where Shine deems it in the best interests of both the Complainant and Shine.

5.6 Handling false complaints

Where a complaint is made in good faith but is ultimately found to be untrue, there will be no repercussions for the Complainant. However, a Complainant who makes a malicious or vexatious allegation aimed at damaging the character of Shine or any of its partners or Representatives or for some other self-motivated reason may face consequences or be referred to an external party.

6. Appealing complaints

6.1 Appeals within Shine

If the Complainant remains unsatisfied with our resolution, the Complainant can appeal the decision. This may involve escalation to Shine's Board if they have not already been included in the process. The Complainant can provide any additional information they would like considered and Shine will review its decision.

6.2 External appeals

If the Complainant remains unsatisfied with Shine's decision or would like an external organisation to review the decision, Shine will advise the Complainant about the different options available to them. Shine will provide all necessary information for the referral.

7. Confidentiality of Complaint Data

All complaint data will be confidential. The Complainant's identity will be kept strictly confidential from any Representative that may be implicated in the complaint. Following the closure of the complaint, the Complainant's information will be de-identified where possible.

8. Monitoring and Improving

Shine aims to continuously monitor and improve the efficiency of our complaint handling. We will:

- Collect data on complaints for the purpose of identifying trends to enhance information management and our operations;
- Collect data in compliance with our Privacy Policy and de-identify Complainant information where possible; and
- Welcome any feedback on our complaints procedure.

Furthermore, Shine will ensure this Policy is always in line with ACFID's Code of Conduct. The Policy will be reviewed every two years or earlier if necessary.

9. Complaint Handling Principles

The following principles are derived from the ACFID Code of Conduct (Section D.6.1 and D.6.2). These principles will guide this Policy to ensure Shine's complaint handling process is effective, safe, confidential and accessible to all stakeholders, without prejudice.

Visibility - Information about the process for making a complaint will be clear and well publicised to all Stakeholders.

Accessibility - The complaints making and resolving processes will be easily accessible to all Stakeholders.

Responsiveness - All complaints will be taken seriously and handled as quickly as practicable. All Complainants will be treated courteously and kept updated on the progress of their complaint through

the complaints handling process.

Objectivity - All complaints will be addressed in an equitable, fair, objective and unbiased manner and conflicts of interests will be identified to ensure objectivity.

Charges - Access to the complaint handling process is free of charge to Complainants.

Confidentiality - We will observe strict confidentiality in complaint handling except where it will hinder the investigation or otherwise required by law.

Stakeholder-focused approach - We have a strong stakeholder-focused approach and actively welcome feedback including complaints and are committed to actively resolving all complaints.

Accountability - We will ensure that accountability and reporting on the actions and decisions with respect to complaint handling is clearly established.

Continuous Improvement - Shine is committed to the continual improvement of the complaints handling process and the quality of our work. We will collect and classify complaint trends, analysis and report on such trends, monitoring the complaint handling process and review our Policy.