



Complaints handling policy

1. Introduction

Motivation Australia understands that feedback and complaints can help us improve the quality of our work. Having a clear, open, accessible yet also confidential process for stakeholders to make a complaint helps to build trust with our partners and stakeholders and is important for maintaining and demonstrating accountability.

For the purpose of this policy, terms are defined as follows:

Motivation Australia personnel	Personnel includes all employees, consultants, contractors, interns and volunteers. Volunteers include professional volunteers, students or any other person who has entered into a volunteer contract with Motivation Australia.
Motivation Australia representatives	Representatives includes all personnel and members of the Motivation Australia Board of Governors.
Motivation Australia stakeholders	Motivation Australia's members and supporters, programme partners, funders and contractors, international development peers and organisations, people who use health, rehabilitation and assistive technology services through Motivation Australia's partner services, community members in the countries where we work.
Complaint	Any significant expression of dissatisfaction or grievance made by any person (whether in Australia or overseas) against Motivation Australia or one or more Motivation Australia personnel or representatives in relation to our work. Complaints can be general or sensitive. Examples of general and sensitive complaints are provided below (see pp.10-11).
Whistleblowing	Disclosure of information which exposes suspected illegal, unethical, irregular, unsafe practices or other wrongdoing within Motivation Australia.

2. Scope of policy

This policy covers complaints made regarding the work of Motivation Australia and the behaviour of Motivation Australia personnel and representatives. Additional policies may also be relevant, depending on the type of complaint received. These include:

- Child protection (*child safeguarding policy*)
- Sexual exploitation and abuse (*prevention of sexual exploitation, abuse and harassment of adults policy*)
- Equal employment opportunity or discrimination in the workplace, including workplace harassment (*equal employment opportunity and anti-discrimination policy*)
- Fraud and/or corruption (*anti-fraud and anti-corruption policy*)
- Whistleblowing (*whistleblowing policy*).

Motivation Australia's *grievance procedure* complements this policy and explains how complaints made by personnel are managed.

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3. Purpose

The purpose of this policy is to demonstrate Motivation Australia’s commitment to receiving, handling and resolving complaints appropriately and responsibly and to ensure that Motivation Australia’s personnel and representatives have a clear understanding of our approach to handling complaints. This policy is aligned to our Code of Conduct and meets our legal and regulatory obligations.

4. Principles

Motivation Australia is committed to handling complaints fairly and consistently, in an open, safe, confidential manner, and to resolving complaints as quickly as possible. Motivation Australia aims to make it easy for people to make a complaint and treats all people making a complaint equally and fairly. Appendix 1 contains general information for people who may wish to make a complaint. While every complaint is different, Motivation Australia consistently applies the following principles:

4.1 Responsiveness

We respond promptly when a complaint is received. We assess the urgency and seriousness of the complaint and provide advice about how we will handle the complaint. Our response to complaints differs according to how urgent or serious they are. If somebody’s safety or security is at risk, we respond immediately and will escalate appropriately.

We are committed to managing complainants’ expectations, and will inform complainants, as soon as possible, of the following:

- What will happen (the complaints process)
- When it will happen (the expected timeframes for our actions)
- How it is progressing (whether an investigation may take place, reasons for any delays and opportunities for participation in the process).

If we cannot deal with any part of a complaint, we will advise the complainant (and if possible, we will advise them of potential alternative actions that may be taken). If the complaint is about something that is not within the scope of our organisation, it will be referred to the relevant party.

4.2 Accessibility

We promote safe and dignified ways of making a complaint. We can be contacted in multiple ways and we publicise these on our website. It doesn’t cost any money to make a complaint. We work with our programme partners to develop ways to make complaints that are safe, easily accessible, while being mindful of local contexts, culture and language (including low literacy).

4.3 People-focused and survivor-centred

We put people first. We understand that making complaints can be difficult. We commit to a “do no harm” approach to handling complaints. We prioritise the safety, rights, needs and wishes of all people while ensuring procedural fairness to all parties. We especially recognise the needs of those who are vulnerable or may be survivors of harm. Putting people first means:

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- Treating complainants with dignity and respect
- Actively involving complainants in decision making
- Providing complainants with comprehensive information
- Protecting privacy and confidentiality
- Where required, assisting complainants to access other support services including health or psychological services and addressing any immediate protection assistance and or rehabilitation priorities.

4.4 Confidentiality

We understand that people may feel safer to report a complaint if they know it will be treated confidentially. Making a complaint confidentially means a complainant's identity (name and other details) will not be shared, wherever possible and appropriate. It is also possible to make an anonymous complaint. Sometimes we need to share some information with other people. Confidentiality means we share with the minimum number of people and only with people who need to know in order to investigate the complaint or find a remedy.

4.5 Fairness and consistency

Each complaint will be handled consistently, with integrity and without bias. We follow procedural fairness which means that all parties, including the respondent, are heard without undue delay and treated with impartiality. We will ensure that the person who is the subject of a complaint does not also handle the complaint.

4.6 Safety

We have zero tolerance of retaliation or punishment in response to making a complaint. We will take all reasonable steps to make sure that people making complaints are not negatively affected because a complaint has been made by them. In the case of someone making a complaint on another person's behalf (for example, a family member speaking up on behalf of the complainant), we will do our best to ensure that both the complainant and anyone advocating for them are not affected.

4.7 Learning

We learn from complaints and concerns. We strive to prevent it happening again. By analysing complaints, we can identify where we can improve our programmes, policies or service delivery. Trends and problems that require action can also be highlighted.

5. Policy

5.1 Receiving a complaint

Any personnel who receive a complaint must personally and directly notify Motivation Australia's CEO of the complaint they have received.

Where appropriate, general complaints (see p.10) are referred to be investigated and resolved by the personnel with the most relevant expertise. Where this is not possible (because the complaint is sensitive,

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or because the allegation involves personnel), the matter will be reviewed by the CEO and, if required, escalated to the Board of Governors and/or referred to an external party.

Sensitive complaints (including fraud, sexual exploitation, abuse and harassment and child protection matters, see p.10) are **always** referred to the CEO **and** relevant focal point person for investigation, **and** the Board of Governors will be notified of the complaint.

Sensitive complaints will be assigned to the most appropriate person who is impartial and who has the authority to take action where necessary. For example, where a complaint involves the CEO, it must be referred to the Chairperson of the Board of Governors.

5.2 Referring and reporting a complaint

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.

Motivation Australia abides by all mandatory reporting requirements. We are obligated in certain circumstances to report to authorities, such as law enforcement agencies, the Commonwealth Department of Foreign Affairs and Trade (DFAT) or the Australian Council for International Development (ACFID). For example, in the event of a complaint about child protection or fraud, we must report this to DFAT and provide information about the handling of the complaint.

Complaints with criminal aspects (including alleged incidents of fraud, sexual exploitation, abuse and harassment) may also be reported to law enforcement. Motivation Australia will consider whether it is safe to do this, and take into consideration the wishes of the survivors and whistleblowers.

If a complainant believes that Motivation Australia has breached the ACFID Code of Conduct, a complaint may be lodged directly with the [ACFID Code of Conduct Committee](#). Motivation Australia provides information on our website and in our annual reports about how to make a complaint regarding an alleged breach by Motivation Australia of the ACFID Code of Conduct, to the ACFID Code of Conduct Committee.

5.3 Recording complaints

All complaints are recorded appropriately. A complaints register is maintained by the Human Resources and Office Manager and is stored online in a restricted-access folder. Maintaining appropriate records of complaints means:

- Recording verbal or written complaints in Motivation Australia's complaints register at the time the complaint is made, or as soon as possible afterwards. Recording a complaint is the responsibility of the personnel or representative who receives the complaint, although this responsibility can be discharged by asking the HR and Office Manager to record the complaint and checking that this has occurred.
- Where appropriate, or at the request of the person making the complaint, records will be de-identified.
- All correspondence, actions and resolution relating to each complaint are (anonymously) recorded in Motivation Australia's complaints register.

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5.4 Handling complaints

- When we receive a complaint, Motivation Australia will respond to the complaint in line with this policy and any relevant standards and legislation.
- Complaints are taken seriously and will be handled as quickly as practical.
- Motivation Australia aims to resolve complaints within 30 days. If a complaint is not resolved within 30 days, the complainant will be informed of the reason why. Updates will continue to be provided as needed.
- We address complaints in a fair, equitable, objective and unbiased manner. Any issues of conflict of interest will be managed in accordance with our *conflict of interest policy*. Where this policy conflicts with legislation, Motivation Australia will comply with legislative obligations.
- If the complaint involves child protection matters, we refer to and follow the *child safeguarding policy* in managing and responding to the complaint.
- If complaints relate to programme partners and/or their personnel in the countries where we work, Motivation Australia will work with the partner to address the complaint taking account of the cultural, social, programme and local contexts, local regulations and partner policies.
- We work with our partners to ensure it is easy for people to make a complaint. Our partners are responsible for handling complaints in line with cultural, social, programme and local contexts. Motivation Australia works with partners to develop their capacity to handle complaints and to comply with our *child safeguarding policy* and *prevention of sexual exploitation, abuse and harassment (PSEAH) policy*.
- We will communicate transparently how we will investigate the complaint.
- We will inform complainants of the outcome as soon as possible (subject to legal and regulatory requirements or guidance including the ACFID Code of Conduct).

5.5 Maintaining anonymity

Complaints can be made anonymously. In those cases, while Motivation Australia may not be able to respond directly to the complainant, we may be able to use the complaint to alert us to matters that need to be investigated and/or referred to authorities.

Where practical and appropriate, we will protect the identity of the complainants. Personal information that identifies individuals will only be disclosed when required by law. When required for purposes of the investigation or other related purposes, all reasonable efforts will be taken to de-identify information that is not required for the purpose of the disclosure. In some instances, it may not be possible for an investigation to progress if the existence of the report cannot be disclosed and a statement by the individual cannot be provided as evidence.

We understand that some complaints need to be kept confidential in order to protect those making or involved in the complaint. However, in some instances we might judge that the complainant will be better served if others are involved in the resolution of a complaint. Third parties will only be included in the resolution of confidential complaints on a case-by-case basis and with the agreement of the complainant.

We will reduce the risk that a complainant will be identified by, for example, removing identifying information about them, using gender-neutral language, limiting access to information on a 'need-to-know' basis and engaging qualified employees to handle the complaint.

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5.6 Providing support and protecting complainants from harm

Together with the complainant, Motivation Australia will assess any immediate needs for protection or assistance as soon as possible after a complaint is made.

We will work with the complainant to identify what support may be needed. For example, we may be able to refer the complainant to services (such as counselling or medical services).

We will also take reasonable steps to ensure that the complainant is safe and not exposed to further harm. If the complainant is Motivation Australia personnel, we may be able to provide flexible working conditions or workplace modifications to keep them safe, and we will ensure managers are aware of their responsibilities in this regard.

If the complainant has suffered harm despite the supports that are in place, we will let the complainant know how to make a further complaint.

We will offer protection to the complainant, as long available evidence suggests that the complaint is made in good faith. The processes of making a complaint will not affect current or future participation in Motivation Australia's work, unless the complaint is deemed malicious in nature.

Protections for complainants include:

- The complainant's identity being kept confidential
- No 'payback', punishment or retaliation
- No legal action being taken against the complainant for breach of contract.

5.7 Ensuring fair treatment

- Motivation Australia will handle complaints confidentially where it is practical and appropriate.
- The investigation will be impartial and fair for all involved (including the complainant and the respondent). Motivation Australia will seek to ensure that complainants have access to adequate support throughout the process.
- Respondents will be provided with information about the relevant details of the complaint (the subject matter) to enable them to respond appropriately. Where relevant, respondents will have an opportunity to provide additional information and name other sources who may verify this information.
- If a complaint is upheld, the matter will be referred for appropriate disciplinary processes. In the case of vexatious complaints made by Motivation Australia personnel, they will be referred for appropriate disciplinary action in accordance with Motivation Australia's human resource management policies and industrial obligations.

5.8 Communicating outcomes of complaints

- Motivation Australia will ensure that the complainant and the respondent are informed of the outcome of the complaint. Other personnel will be informed of the outcome as required based on a need-to-know basis depending on the nature of the complaint. During this process, we will continue to respect the confidentiality of persons involved where appropriate. We will take all required remedial action as indicated by the investigation. Where needed, we will counsel personnel and undertake disciplinary

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action. In keeping with confidentiality and privacy requirements, we will consult with relevant bodies for advice.

- The CEO will inform Motivation Australia’s Board of Governors of any complaints, actions taken and final resolution at the next board meeting following receipt of a complaint and thereafter until the complaint is resolved, unless the complaint requires more immediate action as specified by another Motivation Australia policy.

5.9 Appealing a decision

- Motivation Australia seeks to ensure that complaints are satisfactorily resolved. We encourage complainants to ask for clarification or feedback **during** the process of investigating and resolving the complaint.
- If after having the opportunity for feedback, the complainant is not satisfied with either the outcome or any aspect of the complaint-handling process, then the complainant can submit a formal appeal to the Chairperson of the Board of Governors.
- Respondents to a complaint are also able to submit a formal appeal to the Chairperson of the Board of Governors in the event that they are not satisfied with the outcome or the complaint-handling process.
- The Chairperson of the Board of Governors is responsible for determining a process for hearing an appeal and reaching a conclusion. The Chairperson is expected to consult with board members, senior staff and external parties with relevant expertise in determining the process to be used in hearing an appeal and reaching a conclusion.

5.10 Socialising this policy and providing training

- The *complaints handling policy* is distributed to all Motivation Australia personnel, partners, and all others acting on our behalf, as part of the induction process.
- Training in how to handle complaints is offered periodically as required.
- We support partners to understand Motivation Australia’s *complaints handling policy* and to develop their own complaints mechanisms.

5.11 Learning from complaints

- Motivation Australia is prepared to change the way in which we operate in response to feedback and complaints that we receive. We want to continuously improve and we will provide further training to personnel to support ongoing improvements, when this is required.
- Recorded complaints will be monitored on a regular basis for any ongoing trends by the Motivation Australia CEO and Board of Governors and efforts will be made to resolve any ongoing issues.
- We will communicate the implications of our complaint handling efforts for our policies, procedures, processes, programmes and projects so that we can embed organisational learning.

6. Responsibility

Motivation Australia’s Chief Executive Officer is responsible for:

- Ensuring this policy is upheld
- Demonstrating a commitment to a culture of speaking up and leading by example

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- Informing the Board of Governors of any concerns relating to complaints that may present risks to Motivation Australia or its personnel
- Where appropriate, giving progress reports to the Board of Governors in relation to complaints (such as the number and nature of complaints received, the outcome of investigations, corrective action implemented, and any trends that have been identified)
- Ensuring all personnel are accountable to this policy.

7. Related documents

Document no:	Title and location
<i>TEMP-0004</i>	Complaints handling register
<i>POL-0001</i>	Child safeguarding policy
<i>POL-0011</i>	Transparency and accountability policy
<i>POL-0035</i>	Prevention of sexual exploitation, abuse and harassment of adults policy
<i>POL-0007</i>	Equal employment opportunity and anti-discrimination policy
<i>POL-0034</i>	Whistleblowing policy
<i>POL-0033</i>	Anti-fraud and anti-corruption policy
<i>PROC-xx</i>	Grievance procedure
<i>TEMP-0001</i>	Incident register

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Appendix 1: Making a complaint to Motivation Australia

Motivation Australia is committed to handling complaints fairly and consistently, in an open, safe, confidential manner, and to resolving complaints as quickly as possible. We aim to make it easy for you to make a complaint and we will treat all people making a complaint equally. While every complaint is different, you can expect the following commitments and behaviours from us:

Our commitments and behaviours

Responsiveness

We will promptly let you know that we have received your complaint. We will respond to complaints according to how urgent or serious they are. If somebody's safety or security is at risk, we will respond immediately and will escalate appropriately.

We are committed to managing your expectations, and will inform you, as soon as possible, of the following:

- What will happen (the complaints process)
- When it will happen (the expected timeframes for our actions)
- How it is progressing (whether an investigation may take place, reasons for any delays and how you may be involved).

If we cannot deal with any part of your complaint, we will tell you (and if possible, we will advise you what you can do instead). If the complaint is about something that is not within the scope of our organisation, it will be referred to the relevant party.

Accessibility

- We promote safe and dignified ways of making a complaint
- We can be contacted in multiple ways and we will let you know how
- It doesn't cost any money to make a complaint
- We work with our programme partners to develop ways to make complaints that are safe, easily accessible, while being mindful of local contexts, culture and language (including low literacy).

People-focused and survivor-centred

We put people first. We understand that making complaints can be difficult. We commit to a "do no harm" approach to our work. We prioritise the safety, rights, needs and wishes of all people while ensuring procedural fairness to all parties. We especially recognise the needs of those who are vulnerable or may be survivors of harm. We will provide you with information about how we handle complaints. We will:

- Treat you with dignity and respect
- Actively involve you in decision making
- Provide you with comprehensive information
- Protect privacy and confidentiality
- Where required, assist you to access other support services including health or psychological services and address any immediate protection assistance and or rehabilitation priorities.

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Confidentiality

We understand that people may feel safer to report a complaint if they know it will be treated confidentially. Making a complaint confidentially means your identity (your name and other details) will not be shared, wherever possible and appropriate. It is also possible to make an anonymous complaint. Sometimes we need to share some information with other people. Confidentiality means we share with the minimum number of people, and only with people who need to know ('need-to-know' basis).

Fairness and consistency

Each complaint will be handled consistently, with integrity and without bias. We follow procedural fairness which means that all parties, including the respondent, are heard without unreasonable delay and treated fairly. We will ensure that the person who is the subject of a complaint does not also handle the complaint.

Safety

We have zero tolerance of retaliation or punishment in response to making a complaint. We will take all reasonable steps to make sure that you are not negatively affected because you have made a complaint. In the case of someone making a complaint on your behalf (for example, a family member speaking up instead of you), we will do our best to ensure that you, and that person, are not affected.

Learning

We learn from complaints and concerns. We strive to prevent it happening again. By analysing complaints, we can identify where we can improve our programmes, policies or service delivery. Trends and problems that require action can also be highlighted.

Your questions answered

Who can make a complaint?

Complaints can be made by individuals or organisations in relation to any aspects of our work including international development work, advocacy work, community engagement activities, our administration and management and governance, as well as in our workplace and other settings where we work. Complaints assist us to identify, address and report on any fraudulent, illegal or unethical conduct (including any sexual exploitation, abuse or harassment) in any of the work we support.

What kind of complaint can be made?

A wide variety of complaints can be made and are welcome. We understand that complaints can be general or sensitive.

A general complaint includes, but is not limited to, complaints about:

- Funding and programme decisions
- Programme implementation
- Fundraising and membership
- Conflicts of interest
- Employment issues including complaints or concerns about:

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- Safety or security within the work environment
- Unethical behaviour associated with organisation changes
- Unfair or unjust employment conditions.

We support a culture of speaking up. For complaints related to employment, first consult your line manager. A *grievance procedure* aligned to the *complaints handling policy* ensures appropriate handling of complaints made by Motivation Australia personnel.

A sensitive complaint includes but is not limited to:

- Corruption
- Theft
- Fraud
- Misuse of funds
- Exploitation
- Abuse
- Harassment
- Bullying
- Discrimination
- Misconduct
- Negligence
- Matters raised under our *prevention of sexual exploitation, abuse and harassment (PSEAH) of adults policy* and *child safeguarding policy*
- Any other abusive or inappropriate behaviour by our personnel, partners or those involved in our work in less resourced countries
- Bullying, harassment or discrimination between personnel.

Are some complaints not addressed?

Motivation Australia may choose not to act in response to complaints that, after initial assessment, are determined to be:

- Malicious, or harassing of Motivation Australian personnel in nature or manner
- Offensive, discriminatory, abusive or inappropriate
- Repeatedly lodged, without new information or evidence, and that have already been addressed
- Incoherent or illegible, or that appear to have been sent in a bulk email to numerous organisations (unless directly relevant to Motivation Australia).

What about whistleblowing?

Whistleblowing is defined on page 1 of the *complaints handling policy*. Management of whistleblowing is explained in our *whistleblowing policy*. Whistleblowers have extra protection under Australian law if they:

- Are connected to Motivation Australia in a certain way (be an 'eligible whistleblower')
- Tell the right person (an 'eligible recipient')
- Make a certain type of complaint (a 'disclosable matter').

If you suspect something is wrong, even if it is not illegal, it is your responsibility to report it.

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How to make a complaint?

We make it easy for you to make a complaint. Complaints can be made:

- By emailing report@motivation.org.au
- By calling the Motivation Australia office
- In writing sent to the Motivation Australia office
- Directly to any Motivation Australia representative (personnel or member of the Board of Governors) by email, phone call or in writing
- Anonymously or otherwise.

When receiving a complaint:

- Personnel can seek advice from their line manager about next steps
- Governors can seek advice from the Chairperson about next steps.

Where can I find information about how to make a complaint?

Motivation Australia provides information on our website about how to make a complaint. This information is written in plain English and suitable for a range of stakeholders.

The *complaints handling policy* is also:

- Shared directly with stakeholders
- Referenced in partnership agreements and memorandum of understanding with other organisations.

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