

Concerns & Complaints Response and Resolution Procedures

1. Introduction

Alongside Hope promotes accountable and transparent practices of working with all stakeholders. It encourages staff, Board members and other volunteers to address stakeholder concerns quickly and effectively so that issues are resolved to the satisfaction of the concerned person(s) and do not progress to the level of a complaint.

To respond fully to concerns and complaints, Alongside Hope strives to meet and even surpass the expectations of its stakeholders. There may be occasions when Alongside Hope does not always meet the reasonable expectations of all stakeholders. Alongside Hope stakeholders have the right to raise concerns, offer feedback and, if necessary, lodge a complaint.

2. Purpose

The purpose of the Alongside Hope Concerns and Complaints Resolution Procedures is to:

- a. recognise, promote, and protect Alongside Hope stakeholder rights, including the right to raise a concern, and if warranted lodge a complaint to against a Alongside Hope staff or volunteer.
- b. provide a clear process for responding to and resolving complaints to the satisfaction of all parties.
- c. strive for high quality and continuous improvement in Alongside Hope's programs and services.
- d. increase the level of stakeholder satisfaction with the work of the Alongside Hope.

3. Guiding Principles

The complaints process is guided by the following principles:

1. *Accessibility*: Information about the complaints process will be readily accessible and is easy to understand and use.
2. *Timeliness*: Complaints will be dealt with fairly, appropriately and in a timely manner.
3. *Accountability and Transparency*: Complainants are informed about the process used to address their concerns and about the decisions relating to the complaint.

4. Key definitions

It is vital to make clear the difference between a concern and a complaint. For this policy they are defined as follows:

Concern: A concern is an informal communication or question made to Alongside Hope regarding a minor issue involving a person or some aspect of Alongside Hope's work and expresses a hopeful and timely resolution to the issue.

Complaint: After reviewing a concern, the complainant and/or the Alongside Hope management team may determine that a concern is more appropriately considered a formal complaint. This can occur when a Alongside Hope policy is violated. It may also occur if there is a serious accusation made against a staff person, Board member or other volunteer.

There are three categories of complaints:

a. *Sensitive Complaints related to allegations of sexual exploitation, abuse, and harassment, fraud and corruption or other gross misconduct.*

The policy supports the confidential handling of information related to sensitive complaints. It also ensures that sensitive complaints are addressed by senior management and complaints in relation to sexual exploitation and abuse are reported to the police as required by law.

b. *Anonymous: Complaints lodged by a person who does not reveal her/his identity.*

In principle Alongside Hope does not accept anonymous complaints. However, Alongside Hope recognizes that at times people with genuine concerns feel they can't speak out because of special circumstances and may wish to lodge a complaint without revealing their identity. In extraordinary circumstances where it is evident there are grounds for further action Alongside Hope can consider anonymous complaints.

c. *Malicious Complaints that the complainant knows to be false.*

Alongside Hope operates under the assumption that all complaints are made in good faith and are not motivated by intent for personal gain, personal interest, or a grudge. However, should a subsequent investigation reveal a complaint to be malicious, any investigation underway must be stopped immediately and the Subject of Complaint (SoC) cleared. Complaints lodged for genuine reasons that are subsequently considered to be unfounded shall not be treated as malicious. If a malicious complaint is made by an employee of Alongside Hope, disciplinary measures will be taken.

5. Obligation to disclose

All Alongside Hope employees are required to report allegations, concerns or suspicions of breaches related to abuse, harassment, exploitation and fraud and corruption. Proven deliberate non-disclosure will lead to disciplinary action.

6. Creating a safe environment

Alongside Hope seeks to provide a safe environment through which stakeholders can voice a concern, without fear of reprisal or unfair treatment. Alongside Hope is committed to ensuring that people can raise reasonable concerns:

- without any risk of losing their employment or entitlements or suffering any form of reprisal or retribution in the community or workplace.
- knowing that harassment or victimisation will not arise from raising a genuine concern - and if it does, to know that Alongside Hope will deal with it as a disciplinary action.
- knowing that complaints will be addressed in a confidential manner.

Alongside Hope aims to ensure that complaints are addressed fairly, appropriately, and in a timely manner. Complaints classified as sensitive complaints are handled confidentially and according to legal requirements.

Either the Executive Director or the President of the Alongside Hope Board has an obligation to act immediately in addressing a complaint if the physical or mental health and safety of any party is perceived to be at risk. In doing so one of the parties may be granted a temporary leave of absence with pay until the issue has been resolved. This leave of absence will be reviewed every two weeks until the party resumes their role.

7. Confidentiality

Alongside Hope recognises that confidentiality is critical to a satisfactory complaint resolution outcome because it protects the privacy and safety of the complainant, the Subject of Complaint and other witnesses. Every attempt is made to keep confidential the facts and nature of the complaint, the identity of the key participants and the investigation records. However, given the process to resolve concerns and complaints, this may not be possible. This means that access to and dissemination of information will be restricted only to a limited number of authorised persons for the purpose of concluding the necessary investigation.

Alongside Hope shall only allow disclosure when:

- it is required by law.
- it is agreed by the Alongside Hope management and/or the Board that disclosure of the complaints and actions taken would be in the best interests of the organisation and the parties involved.

Should the matter become public at any time, the Alongside Hope governing Board shall issue a public statement about the procedures followed and the status and/or the outcome of the complaint review. The Board will not release details about the complaint.

Process to lodge a concern or complaint

8. Lodging a concern or complaint

A concern or complaint should be lodged as soon as possible after the complainant becomes aware of the concern. Alongside Hope will not accept a complaint more than three (3) months after the alleged incident, except in exceptional circumstances and then only in cases of allegations of abuse, exploitation, gross misconduct, or malpractice.

Concerns or complaints can be submitted in writing. Written complaints can be sent via e-mail, fax or regular mail.

Please refer to Annex 1 attached, for a sample complaints letter format. Written complaints can be submitted by:

e-mail: complaintsbox@alongsidehope.org or auditriskchair@alongsidehope.org

mail: Alongside Hope 80 Hayden Street, Toronto, ON M4Y 3G2 |

or communicated by phone as needed: 1-866-308-7973

9. Confirmation of receipt of concern or complaint

The complainant shall receive confirmation of receipt of the complaint, where possible, within five (5) working days after Alongside Hope receives the concern or complaint. Some concerns or complaints as sent to Alongside Hope's Complaints Box can be responded to quickly. For other concerns and complaints, and where additional time is required, a confirmation of receipt of the concern or complaint will be sent by the Office Administrator or one of the Directors or staff as so requested by the Management Team. The email, letter or phone call to the complainant acknowledging receipt of the complaint should include the following information:

- when and how the complaint was received.
- If and how Alongside Hope plans to address the concern or complaint (process).
- the name of the person responsible for handling the concerns or complaint and to contact with questions or feedback.

10. Determine whether it is a concern or complaint

All concerns and complaints will begin with a review by the Alongside Hope management team which will decide if this is a concern that can be readily addressed. If so, they will place responsibility to the appropriate Director to address this concern.

If the matter is determined by the management team to involve a Board member and / or require Board review, the Executive Director will bring this concern or complaint to the Audit and Risk Management (ARM) Committee of the Board. If the matter involves the Executive Director, the concern or complaint will be forwarded by the Office Administrator to the Chair of the Audit and Risk Management Committee. The ARM will address the concern or complaint and offer a remedy.

11. Complaints Process

Step 1 -- Determining the need for an investigation.

Not all complaints need a formal investigation process. Some complaints can be resolved to the complainant's satisfaction through two-way communication between the complainant and the management team. The Executive Director or the Alongside Hope Chair of the Audit and Risk Committee (if the complaint is against the Executive Director) must decide if the allegation needs to be investigated. This can be decided by asking the following questions:

- Does it relate to a breach of Alongside Hope's policies and procedures (including those to which Alongside Hope is signatory by virtue of its membership)?
- Does the complaint constitute a 'complaint' as defined by the scope of the Complaints Policy?
- Is there enough information to investigate?

If it is deemed that an investigation is required, the Alongside Hope management will decide who conducts the investigation. The Chair of the Audit and Risk Management (ARM) committee will join these discussions.

If the complaint is against the Executive Director or a Board member, the ARM Committee will decide on next steps, including a possible investigation. As with the above process, once the investigation is over, the ARM Chair will report the findings to the complainant.

Step 2 -- Feedback on the investigation's outcome

With the exception of the ED being the subject of an investigation, the ED will communicate the outcome of an investigation to the complainant(s), where possible, 30 working days after acknowledgment of the complaint. In complex or exceptional cases, the investigation period may take longer. The complainant(s) will, however, be informed if the investigation timeframe is extended due to circumstances beyond Alongside Hope's control. The complainant will not receive details of the investigation but will be informed that the complaint has been substantiated and referred to the appropriate individual(s) for a decision on action to be taken, or that the complaint was not substantiated.

Step 3 -- Appeal process

If the complainant(s) or Subject(s) of Complaint does not accept the outcome of the investigation, they can appeal the decision to the Executive Committee – a task delegated to the Executive Committee by the governing board. A letter requesting an appeal should be addressed to the Executive Director, who in turn will inform the Executive Committee through the President of the Board. If the Executive Director is implicated in the case, then the appeal letter can be directed to the President of the Board. Members of the Executive Committee who may have been part of the investigation team must not be involved in the appeal process.

The Executive Committee should aim to convene the appeal meeting within 30 working days of the request for appeal. The meeting will enable the complaint to be heard again. The Executive Committee will then decide regarding appropriate action that may be required to resolve the situation. This may include launching another investigation, this time led by the Chair of the ARM committee. The decision will be communicated, where possible, in writing within 10 working days of the meeting. The decision of the Executive Committee is final. The feedback from the EC investigation and decision will be communicated to the complainant by a member of the Executive Committee or by the ED.

Individual arbitrators acceptable to all those involved, may be of assistance in helping to resolve the conflict in a) facilitation or mediation role where the goal is to help the parties restore a positive working relationship in the future, and b) a decision-making/arbitration role where they investigate what happened and make a determination of who is responsible for the situation and what the consequences for the parties should be. The choice of these two approaches should be offered to the parties. If a mediated approach fails to resolve the matter, an arbitrated approach can be undertaken. The mediation process will be decided and implemented by the Chair of the Audit and Risk Management Committee.

12. Follow up and learning

Alongside Hope shall keep a record of all complaints received from all stakeholders. The Chair of the ARM committee will report all complaints to the full Board. These will not include concerns. Alongside Hope will develop a synthesis report annually of the types of complaints received and the status of their resolution. This report should be submitted to the Audit and Risk Management Committee which can subsequently inform the Board. Complaints analysis will feed into Alongside Hope strategy review and future management decisions. Names of complainants, organisations, witnesses, and Subjects of Complaints will not be revealed in public reports.

Approval Date: May 2013

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Annex 1: Suggested complaint letter format

This form should be completed (or adapted) by the person or organisation wishing to lodge a complaint. (All 'sensitive' complaints related to sexual exploitation and abuse, fraud and corruption and gross misconduct will be held securely and handled strictly in line with applicable laws, confidentiality, reporting and investigation procedures.)

A: General data

1. Name of the person or organisation lodging the complaint
2. Address:
3. Tel:
4. email:
5. Brief description of the incident or concern
6. Name of the person you wish to lodge a complaint against (if known and if the complaint is about an individual)
7. Date of incident
8. Time of incident
9. Place of incident
10. Date of report
11. Time of report
12. Name and contact of witnesses (if any/ and if relevant)
13. State what kind of response you expect from the Alongside Hope and how you wish to see the matter resolved

Name:

Signature:

Date:
