

COMPLAINTS POLICY

November 2023

PURPOSE

Opportunity International Australia (Opportunity) seeks to be open and transparent in all aspects of our operation and is committed to resolving complaints in a fair, respectful, timely and transparent manner. The purpose of this policy is to provide guidance to individuals and organisations wanting to make a complaint and to staff on Opportunity's approach to handling complaints. It aims to enhance accountability and provide a mechanism for ensuring all complaints are appropriately addressed.

SCOPE

This policy applies to all Opportunity staff, volunteers, contractors, consultants, and Directors.

This policy also outlines a process for complaints that fall outside the scope of the policy such as complaints pertaining to other organisations or individuals.

OTHER POLICIES

Opportunity has a Child Protection Policy and a Prevention of Sexual Exploitation, Abuse and Harassment Policy which provide further guidance on how to respond to complaints or allegations in respect of these areas.

Opportunity's Privacy Policy provides information on how to make a complaint about privacy issues and how we will deal with it.

Opportunity's Whistleblowing Policy provides information about the protections available to individuals when they make a complaint about misconduct, dishonest, corrupt or illegal acts.

Opportunity has a Grievance Policy to handle internal, work-related issues and grievances which are not covered under the scope of this policy.

WHAT IS A COMPLAINT?

For the purposes of this policy, a complaint is defined as an expression of dissatisfaction made to or about Opportunity, our products or services, our staff, volunteers, partners, contracted service providers or anyone acting on our behalf, or the complaint handling process itself, where a response or resolution is explicitly or implicitly expected.

A complaint could be about the mismanagement of information, use of donations, costs of fundraising or fundraising methods, alleged services failures, or information not being readily available, difficult to understand, incomplete or misleading.

A complaint may be made by a person to whom we deliver services or who is affected by our services, a partner, a local organisation we work with, our employees, volunteers, work experience students, contractors, supporters or a member of the public.

When we receive opinions, comments and expressions of interest or concern, explicitly or implicitly, about our programs, products or services (particularly on social media platforms), we may treat this as feedback rather than a complaint if a response is not explicitly or implicitly expected or required. In these instances, we will take note of the comments, however we may or may not respond, depending on the circumstances.

TYPES OF COMPLAINTS

Opportunity will acknowledge and respond to all complaints received regardless of who makes them or the nature or subject of the complaint, as set out in this policy. We will also endeavour to capture information and report on all complaints so we can monitor trends, learn from complaints, and ultimately improve our products and services.

Minor Complaints

Where complaints are of a minor nature and can be easily and promptly resolved, Opportunity staff may follow a simplified complaints handling process rather than the one set out below to avoid overly cumbersome and bureaucratic responses that are unnecessary and may compromise the efficient and timely resolution of complaints.

These minor complaints might include a telephone complaint that can be responded to and resolved in the initial phone call, or a written complaint that can be easily and quickly corrected. Examples include:

- Change of address or communication preferences not having been updated in our records,
- Requests for a receipt or other information not being actioned as promised, or
- Individuals who opted out of receiving marketing communications still receiving direct marketing appeals.

Staff may offer an explanation or apology to the person making the complaint and take the appropriate action required to resolve the complaint and prevent any reoccurrences.

Complex and Significant Complaints

Complex or significant complaints may require assessment and/or investigation as well as more substantial remedial action and/or response. This might require Opportunity to implement a change to our systems or processes or improve training for our staff and volunteers.

Serious Complaints

Serious complaints include allegations of sexual or financial misconduct, breaches of the safeguarding code of conduct, and incidents deemed to pose significant operational, safety, financial or reputational risk to Opportunity. These complaints may result in Opportunity implementing changes to our systems or processes, taking disciplinary action, and/or reporting the incident to the relevant authorities.

REPORTING COMPLAINTS

Minor complaints are usually easy to resolve and can be reported to any Opportunity employee or volunteer who is equipped to respond, such as the employee receiving the initial phone, letter or email. The employee will subsequently inform the Complaints Officer of the details of the complaint at the earliest opportunity so it can be recorded in the Complaints Register.

All complaints not considered minor in nature should be directed to the Complaints Officer, who is the nominated executive with responsibility for dealing with complaints. This can be done by phone on 02 9270 3300, by email to complaints@opportunity.org.au, or via letter to Opportunity.

The Complaints Officer will complete a Complaint Record form for all complex, significant and serious complaints received to capture the relevant details, details of any investigation or correspondence, the actions taken and outcomes.

When a serious complaint is received, it must be immediately escalated to the CEO and the Board must be informed at the earliest appropriate opportunity with details of the complaint and the proposed response.

The Complaints Officer and/or CEO must immediately notify the Chair of the Board of any complaint received about a Director, the CEO, or the Company Secretary.

Complaints about a Director, the CEO, the Company Secretary or the Complaints Officer can also be made directly to the Chair of the Audit & Risk Committee (who is on the Board of Directors) by emailing auditriskchair@opportunity.org.au.

HANDLING COMPLAINTS

If Opportunity has made a mistake, we want to be informed of it so we can rectify the situation, learn from the experience, and avoid a recurrence. Every complaint is taken seriously and we have established a process to acknowledge, investigate and respond in a fair and objective manner, as appropriate to the circumstances and seriousness, and to ensure complaints are dealt with in a consistent manner and in line with this policy.

If an individual wants another person or organisation to assist or represent them in making and/or resolving their complaint (e.g. advocate, family member, legal or community representative, member of Parliament), we will communicate with the complainant through their representative, according to their wishes, if they have given their consent.

Opportunity's Complaints Policy and process, with easily understood information explaining how to make a complaint, are readily accessible to everyone on our website. They are also available to all Opportunity staff and volunteers in the company's internal file storage system.

The contact details for the Complaints Officer, who will receive and coordinate responses to all complaints, are also provided on the website. Opportunity may respond to complaints lodged by telephone, email, social media or letter as appropriate to the nature of the complaint and manner of lodgement.

The complaints process is published on Opportunity's website and includes:

- Acknowledgement of the complaint
- Details of the complaints process and the expected timeframes for resolution
- The complainant's likely involvement in the process
- Communicating the progress of the complaint and reasons for any delay
- Advising the complainant on the outcomes and actions to be taken, as well how to appeal, if applicable
- Advising the complainant of their right to make a complaint regarding possible breaches to the Australian Council for International Development (ACFID) Code of Conduct to the ACFID Code of Conduct Compliance Committee
- Keeping written records of complaints, investigations, actions taken and outcomes.

In the case of misconduct complaints, records may be de-identified at the request of the complainant or survivor. Allegations involving criminal sexual misconduct will be reported to the local enforcement authorities unless it is at odds with the wishes or welfare of the affected person, or it would pose a threat to the life or safety of another individual.

All reasonable steps will be taken to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

If it is established that a complaint has been made maliciously, in bad faith or without serious intent then a response will be made to the complainant explaining why their complaint is not being taken further.

CONFIDENTIALITY

Opportunity will not reveal a complainant's name or personal details to anyone inside or outside the organisation, other than the people involved in handling the complaint or receiving Complaint Reports, without the complainant's permission. All details of the complaint will remain confidential, unless it is a requirement of the law or Opportunity's Child Protection Policy and/or Prevention of Sexual Exploitation, Abuse and Harassment obligations to disclose or report the information; however this will not preclude Opportunity obtaining legal advice.

Complaints can be made anonymously, however, if we do not have sufficient information about the concern it may hinder our ability to investigate the matter and we will not be able to respond to the complainant.

INVESTIGATING AND RESOLVING COMPLAINTS

All significant, complex and serious complaints within the scope of the policy will be investigated with integrity and in an equitable, objective and unbiased manner. We will ensure that the person assigned to handle or investigate a complaint is not the staff member whose conduct or service is being complained about.

The CEO may consult with Executive Team members, as appropriate to the issue, to determine who will be responsible for handling the complaint and providing guidance on how it should be investigated.

The person designated with handling the complaint is responsible for:

- Establishing the facts and gathering the relevant information, including if appropriate, interviewing those involved.
- Determining what resources will be needed for the investigation, and for securing access to those resources (including assistance from other employees or external professional such as lawyers, accountants, auditors or operational experts).
- Where the complaint involves fraudulent acts, referring to Opportunity's Corruption and Fraud Prevention Policy for guidance.
- Where the complaint involves safeguarding issues (including child protection or sexual exploitation, abuse or harassment incidents), informing the Safeguarding Officer and coordinating the investigation and response with them.

If the person handling the complaint decides it is not possible to resolve a complaint internally, they may refer it to external processes such as mediation or a complaints handling body. Ideally, the person who made the complaint will be advised in writing of the reasons for this decision, and of the proposed strategy for dealing with the complaint.

Following the investigation, the person handling the complaint will prepare a report and forward to the CEO (or the Chair of the Board if the CEO is involved in the complaint).

If the investigation concludes that there is a case to answer by a staff member, then the CEO will determine the appropriate disciplinary action, taking into account any relevant employment law.

If the investigation concludes that there is a case to answer by an Implementing Partner, then the CEO will consult with relevant members of the programs team to determine the appropriate action. This may include withdrawal of future funding and/or termination of the Relationship Agreement, depending on the seriousness of the situation.

Depending on the circumstances, matters may also be referred to law enforcement agencies or other external parties as appropriate which could result in criminal sanctions.

TIMEFRAMES

All complaints (if not anonymous) will be acknowledged as soon as possible, ideally within five business days of receipt. Opportunity will also strive to resolve minor complaints within five business days.

For more serious or complex complaints, where it is anticipated the investigation and resolution will take longer, the complainant will be advised of the process, who will be handling their complaint, and the likely timeframe for resolution, which will ideally be within 30 calendar days. In these cases, complainants will be updated regularly on the progress of the investigation, if any corrective action or change in process has been implemented and the expected time for resolution.

APPEALS PROCESS

If a complainant is unhappy with Opportunity's response, they may appeal to the CEO or to the Board. An internal review of how the complaint was addressed will be conducted by a

person other than the original person handling the complaint and/or the original decision makers.

If the complainant continues to be dissatisfied with the outcome after all avenues have been explored to resolve the complaint, a letter will be sent to the complainant explaining the steps/actions that have been taken, outlining any changes that have been put in place as a result of the complaint and closing the matter. The complainant may then seek an external review of our decision (e.g. via ACFID or the Australian Charities and Not-for-Profits Commission).

ASSISTANCE AND REFERRALS

If a complaint relates to misconduct by an Opportunity employee or volunteer deployed by Opportunity, we will consider, on a case-by-case basis, providing the survivor with appropriate forms of assistance, including but not limited to access, or referrals, to relevant assistance and support services such as medical, social, legal and/or financial.

Where a complaint does not fall within the scope of this policy, for example the complaint is about an employee of another organisation or government department, Opportunity will make every reasonable effort to direct the person to the appropriate recourse or reporting avenue.

VALUING COMPLAINTS AND THEIR EFFECTIVE RESOLUTION

Opportunity promotes a culture that values complaints and their effective resolution, knowing this approach can lead to improvements to our products and services and/or the handling of complaints. We promote this by:

- Encouraging staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.
- Treating all people with respect, including people who make complaints.
- Assisting people who wish to make a complaint to access our complaints process.
- Encouraging suggestions for improvements to our products, services or processes and/or our complaints handling.
- Internal reporting of complaints to help management and the Board understand complaint trends and issues arising from complaints.

ACCOUNTABILITY AND LEARNING

A summary of all complaints will be recorded in the Complaints Register, kept by the Complaints Officer to ensure they are dealt with fairly, efficiently and effectively and to monitor trends and foster organisational learning.

To emphasise the importance Opportunity places on dealing with complaints, Complaints is a standing agenda item at quarterly Leadership Team meetings. The Leadership Team considers and discusses any complaints received (excluding complaints that relate to a member of the Leadership Team), the progress on complaints being investigated and can recommend changes to processes to address complaints. The Leadership Team is also accountable for ensuring that their functional teams understand and adhere to this policy, working with staff to ensure compliance issues are addressed promptly.

The Board is responsible for overseeing the number and nature of complaints received by Opportunity and ensuring they have been handled appropriately. The Board receives quarterly reports detailing the complaints received, details of any investigations underway and actions taken in the prior period. The Board also receives an Annual Complaints Report that sets out the number of complaints received, the actions taken and outcomes, issues arising from complaints, and an analysis to identify trends or systemic issues.

MANAGING UNREASONABLE CONDUCT

We are committed to being accessible and responsive to people who approach us with feedback or complaints. At the same time, we need to balance that with:

- protecting the health, safety and security of our staff
- our ability to do our work and perform our functions effectively and efficiently, and
- the resources we have available to deal with feedback and complaints received.

When people behave unreasonably in their dealings with us, their conduct can have an impact on our progress and efficiency. We will take action to manage any conduct that negatively and unreasonably affects us and will support our staff to do the same, while still complying with this policy.

OVERSEAS PROGRAMS – ACCESSIBILITY AND AWARENESS

Opportunity works through indigenous organisations in the countries where our programs are located, known as Implementing Partners. Opportunity is committed to ensuring all stakeholders, including those that are marginalised or vulnerable, can raise concerns or make complaints to our Implementing Partners.

Opportunity requires our Implementing Partners to have a complaints handling policy or process in place that is readily accessible to its staff and primary stakeholders (e.g. clients, program beneficiaries, communities where programs are implemented) and includes:

- clear and easily understandable information on how to make complaints in appropriate forms and through appropriate media
- a safe and discrete point of contact for concerns or complaints to be made about the organisation or its staff
- consideration of the needs of the most vulnerable and disadvantaged stakeholders (for example, persons with disabilities) for filing a complaint
- training for employees to handle complaints
- mechanisms that are responsive and fair
- active and effective complaints resolution systems
- processes for reviewing and analysing complaint information within the organisation, and
- a process for escalating complaints to Opportunity if they are about Opportunity or related to child exploitation or abuse, or sexual exploitation, abuse or harassment.

Opportunity assesses and verifies that Implementing Partners have complaints policies and processes in place through self-reporting mechanisms, through our Social Performance Management program and through meetings with Relationship Managers. We monitor their progress towards meeting the required standards and work with them as needed to help them improve the effectiveness of their policies, procedures and practices.

Alongside their complaints policy, process and mechanisms, Implementing Partners use various tools to collect client feedback, including client satisfaction surveys, know-your-customer surveys, and client exit interviews. Opportunity encourages Implementing Partners to involve clients in reflection, learning and design adaptation and supports the use of independent client surveys. We also encourage use of independent third parties to assess their policies and practices to ensure they uphold the highest standards of service.

Opportunity provides Implementing Partners with details on how they can provide feedback or make a complaint about Opportunity.

CONTINUOUS IMPROVEMENT

Opportunity is committed to monitoring and reviewing the effectiveness of the complaints handling process and ensuring that the learnings that arise from complaints are carried through into the organisation.

We regularly review trends on complaints received and the effectiveness of our complaint handling system, taking remedial action as required. This may include changing our processes and/or systems and ensuring all staff and volunteers receive appropriate training.

TRAINING

All Opportunity employees and volunteers (including Directors) receive training on the benefits and purpose of the Complaints Policy and process as part of their induction. Refresher training is provided when the policy is updated, or sooner if required. A register is maintained to monitor the status of this training.

POLICY REVIEW

This policy is reviewed at least every three years, or sooner if required, and approved by the Board. This policy is next due to be reviewed in 2026.