STATEMENT

This policy outlines the Himalayan Trust's (henceforth known as 'HT') commitment to effective complaint handling and applies to our work both in New Zealand and Nepal.

A complaint may be made by any supporter, partner organisation, community or individual with whom we work or any member of the public whether an individual, company or other entity in New Zealand or anywhere else in the world.

PURPOSE

To ensure that our stakeholders hold us to account and to improve the quality of our work.

SCOPE

This Policy is intended to apply to any complaint regardless of who makes it and will accept complaints relating to our paid staff, our volunteers, our partners, our contracted service providers or anyone else acting on our behalf.

A complaint may be made by a 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.

Anonymous complaints can be made, but may limit our ability to investigate them.

GUIDING PRINCIPLES

The HT is committed to the following principles:

Accessibility: Complainants should be able to make a complaint as easily as possible–written correspondence, email, telephone, verbally, via a third party, etc. We are committed to making communication with us as easy as possible.

Visibility: We will publicise information on how and where to complain.

Timeliness: The HT aims to resolve complaints within 14 days of receipt. In the event that a complaint cannot be resolved within this timeframe the complainant will be informed about the progress made to date and when they can expect to receive a response. Complaints should be made within three months of the relevant incident. In exceptional circumstances the HT may be

able to respond to a complaint that is older, although the passage of time may make it harder to resolve the complaint satisfactorily.

Mutual Respect: Everyone who makes a complaint to the HT will be treated with courtesy and respect. In return, the HT expects people who make a complaint to communicate their concerns fairly and appropriately. Where complainants harass staff, behave abusively, or unreasonably pursue complaints, the HT reserves the right to withdraw or modify its complaints process.

Confidentiality: Some complaints need to be kept confidential in order to safeguard 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.

Documented: Some complaints may be both made and resolved verbally, e.g. by telephone or face to face. Where they are unable to resolve verbally, complaints must be made in writing. Outside the NZ you may need assistance to do this, and HT will help you to present your complaint.

Right to appeal: Complainants who have launched a well-founded complaint and who are unsatisfied with the HT's response to that complaint have the right to appeal. Appropriate appeal processes are outlined in the documents published with this policy.

After an appeal: After the internal appeal, there is no further internal process. You may however still contact our New Zealand Regulator, the Charity Commission. Outside New Zealand, we will notify you if there is an external procedure, but in any event you may contact the Charity Commission.

Continued improvement: We will log and monitor all serious complaints and results of such complaints and this information will be regularly brought to the attention of the General Manager and Members of the Board in order to learn from what we do and how we do it. This information will not necessarily be available to the public.

DEFINITIONS

A complaint is an expression of dissatisfaction about the standards of service, actions or lack of action by the HT or its staff, volunteers or anybody directly involved in the delivery of our work. It is a criticism that expects a reply and would like things to be changed. Complaints could include the following (which is not an exhaustive list):

- Concern from someone we work with about the quality of programme delivery;
- Concern from a member of an affected community about the impact of our work or an activity/ies;
- Concern from a member of the public or supporter about a particular fundraising approach or campaign;
- Concern about the behaviour or staff, volunteers or contractors.

A complainant means a person, organisation or its representative, making a complaint.

Feedback means options, comments, suggestions and expressions of interest in the complaint handling process.

COMPLAINTS PROCESS

1.1 Where and how can a complaint be made. Complaints can be received orally in person or by telephone, in writing by post, email or online via our website. Where complaints are made orally we will ensure our write-up of the complaint contains all the information the complainant wishes to provide. Where appropriate we may utilise complaint/suggestion boxes.

1.2 Who will manage the process? The process will be managed by the Chair, General Manager or Safeguarding Officer as is appropriate for the complaint.

1.3 The process:

1.3.1 Contact the complainant and clarify the issue/s and outcomes being sought by the complainant and decide the best way to address the matters raised.

1.3.2 Determine whether to accept or deal with it as a complaint of dissatisfaction. If so, is it a minor, intermediate or serious complaint?

- **Minor Complaints:** These are complaints that have no ethical, professional, or legal obligations by the agency or staff members involved. These complaints can usually be dealt with immediately and present no harm to the agency or clients involved.
- **Intermediate Complaints:** These are complaints that could impact on the ethical, professional and/or legal obligations of the organization. The impact may be negative but not of a nature to cause serious harm or distress to the agency or the person(s) involved.
- **Serious Complaints**: These are considered to be complaints that jeopardize the ethical, professional and/or legal responsibilities of the organization. The impact on the agency and/or the persons involved is considered to be abusive, unsafe practice, unethical, culturally insensitive, illegal and/or unprofessional.

1.3.3 Enter the complaint into the complaints register (REG03).

1.4 The Process for Complaints of Child Abuse.

Any complaint of Child Abuse is considered a serious complaint and must be dealt with immediately.

1.4.1 What should be reported?

- **Any disclosure or allegation** from a child/community member or staff regarding the safety, abuse or exploitation of a child.
- **Any observation or concerning behaviour** exhibited by a HT staff, volunteer or other relevant stakeholder that breaches the HT's code of conduct for working with children.
- **Inappropriate use of the Trust's photographic equipment** or computers including evidence of child pornography.
- **Staff engaging in suspicious behaviour** that could be associated with sexual exploitation or trafficking.

1.4.2 What will happen next?

- The GM, in consultation with the Chair, will decide on the next steps by either interviewing to gain more information and handling internally if not a criminal matter, while keeping the interest of the child paramount. If a criminal matter, it will be reported to local police or child protection authorities or the New Zealand Police.
- The HT will treat all concerns raised seriously and ensure that all parties will be treated fairly and professionally within the principles of natural justice.
- The HT will ensure that the interests of anyone reporting child abuse in good faith will be protected. Employees making false or malicious allegations will face disciplinary action.
- Every effort will be made to protect the confidentiality, rights and safety of the child throughout any investigations.

- Children and community members with whom the HT works will be provided with information about how to report any child protection concerns about HT staff members and others.

1.4.3 Record the complaint in complaints register (REG03).

1.4.4 Reporting to disclosure by a child

- If a child discloses abuse, he/she must be taken seriously with respect, care and concern.
- If they request that no-one be told of the matter, staff must seek advice from the in-country manager or senior staff member on how the child can be supported and the disclosure process managed.

1.4.5 Other actions to take

- **Protect the child**. Immediate response should be to protect the child from further abuse.
- **Distance the alleged perpetrator**. The best interest of the child may warrant standing down a staff member or volunteer with full pay to recognise entitlement to just processes.
- **Maintain confidentiality**. All reports will remain confidential as much as possible within the organization and released to in-country or New Zealand criminal authorities on request.

1.5 Resolving Complaints

The HT 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 and frequency of the complaint.

1.5.1 **Minor complaints** may be dealt with by a letter or meeting.

1.5.2 **Intermediate complaints** will be responded to in writing or email although a meeting with affected parties may also be held. The actions taken in resolving the issues will need to consider the actual/or potential impact or harm to the agency and person(s) involved.

1.5.3 **Serious Complaints** will be responded to in writing. The nature of the complaint may require legal and or professional consultation. The action taken to resolve the complaint could include: referral to counselling, involvement of an external mediator, formal warning dismissal of staff members and/or legal action.

1.6 Time frame for managing complaints

1.6.1 Written complaints will be acknowledged within five days.

1.6.2 Oral complaints will be responded to immediately.

1.6.3 Complaints will be resolved as quickly as possible and within 14 days unless there are exceptional circumstances. If a complaint is not resolved within 14 days we will inform the complainant of progress and keep them informed of progress every two weeks.

1.7 Complaints can be made in the following way:

Complainants can make a complaint to any of the people listed below. Information to be supplied in the complaint are name and contact details of complainant, nature of complaint and remedy being sought.

In New Zealand:

To the HT Safeguarding Officer:

PO Box 43, Auckland 1140.

Phone: 09 445 3460

E-mail: info@himalayantrust.co.nz

To the Chairperson of the HT

Email: chair@himalayantrust.org

In Nepal:

Contact Himalayan Trust Nepal.

Email: info@himalayantrust.org.np

Email: chair@himalayantrust.org.np

To the Council of International Development

PO Box 24 228

Manners Mall

Wellington 6142

New Zealand

Ph.: 04 496 9615

Email: jacqui@cid.org.nz

EDUCATING THE ORGANISATION

1.8 The Complaints Policy will be distributed to all our paid staff, our volunteers, our partners, our contracted service providers and all others acting on our behalf. We require all those who may be involved in any way with a complaint to formally signify their commitment to this policy.

PUBLICISING OUR POLICY

We make clear the value we place on receiving concerns and complaints in all relevant communications.

1.9 We use the word "complaint" or its equivalent in relevant languages other than English.

1.10 Our website has a tab with the word "complaint" linking to this policy and information on how to make a complaint.

1.11 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.

1.12 We will take special care to facilitate complaints from vulnerable populations including children and marginalised groups. If required we will make use of pictorial means of communication.

1.13 All relevant communication explain this and explain our procedures for handling complaints including: website, newsletters, annual report, partnership agreements, and staff policies.

CONTINUAL IMPROVEMENT

To this end we will–

1.14 Maintain a register of complaints to identify trends, information management and service provided; and

1.15 Foster a culture of service excellence.

COMPLIANCE WITH LEGAL OBLIGATIONS

- All actions taken by the HT in relation to the receipt, investigation and resolution of the complaint must be in compliance with all relevant statutory acts of law.
- All actions taken in response to the complaint must ensure that the civil, moral and cultural rights of all participants are recognized and respected.

RESOURCES

ACFID Code of Conduct D.6 Complaint-handling within signatory organisations

Australian Standard: Customer satisfaction – Guidelines for complaint handling in organisations (AS/IS0 10002:2006)

POLICY REVIEW

This policy will be subject to a triennial review by HT General Manager and the Board of Trustees.

APPROVAL

This Policy was approved by The Himalayan Trust, with effect from 18 March 2024.



Signed _____

The Himalayan Trust

End of Document

Document information:

Date Adopted: 25 July 2015	Last Reviewed: 18 March 2024
Next Review Due: 18 March 2027	Approved By: Board of Trustees