Complaint Management Procedure

PRO048 - Complaint management procedure - 2018-06-14
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Complaint management procedure

Introduction

I. The Humanitarian Quality Assurance Initiative

HQAI’s objective is to improve the Quality and Accountability of organisations working with people in need through the provision and promotion of meaningful and adapted independent quality assurance. Its services are intended to build capacity in the sector and provide consistent measurable data in the delivery of quality action, thus improving principled, accountable, efficient provision of aid to vulnerable and at-risk populations.

To all its stakeholders, HQAI is an accountable, open and trustworthy partner, which applies the internationally recognised ground rules of auditing that are impartiality, competence, responsibility, openness, confidentiality and responsiveness to complaints. Our policies, procedures and tools for independent quality assurance follow relevant ISO standards requirements.

HQAI has developed robust tools to measure efficiently where an organisation stands in relation to the Core Humanitarian Standard (CHS) on Quality and Accountability. Tools related to other standards may be developed in the future.

II. Scope

This policy applies to all complaints brought forward to HQAI, unless otherwise described in a specific policy duly approved by the Board of Directors or the Advisory and Complaint Board. Complaints may fall into the following categories:

i. Complaints received from stakeholders regarding the performance of an organisation taking part in HQAI’s quality assurance programme;

ii. Complaints received from stakeholders against HQAI as an organisation, its processes including the present procedure or pertaining to the performance/conduct of a member of the staff, including auditors and interns, at the exclusion of the Executive Director.

iii. Complaints from stakeholders/audited organisations against the performance/conduct of HQAI’s Executive Director.

This policy does not apply to appeals.
III References

The following referenced documents can usefully complement this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

ISO/IEC 17065 Conformity Assessment Requirements for bodies certifying products, processes and services (2012)
HQAI POL048 - Complaint management policy
HQAI GOV001 - Articles of association
HQAI POL114 - Third party quality assurance policy
HQAI PRO050 - Advisory and complaint board

IV Definitions

For the purposes of this document, terms and definition provided in POL114 - Third-party quality assurance policy and POL048 - Complaints handling policy apply.

1. Key principles

(from POL048)

Any complaint shall be treated according to the following principles:

1.1 **Transparency**: parties to a complaint shall have all the relevant information in due time;

1.2 **Impartiality**: any person handling a complaint shall be free of conflict of interest vis-à-vis the parties to a complaint;

1.3 **Objectivity**: addressing complaints shall be based on objective evidence and facts and be free of irrelevant considerations;

1.4 **Confidentiality**: where feasible and appropriate, the identity of people making complaints shall be protected, in particular if risk to security is identified due to the nature of the complaint;

1.5 **Fairness**: proceedings shall be fair to all parties to the complaint. In particular, cost considerations shall not be a deterrent for founded complaints;

1.6 **Safety**: the security of complainants shall be an absolute priority at all times;

1.7 **Timeliness**: HQAI shall endeavour to resolve complaints promptly;

1.8 **Accessibility**: information about how and where to file complaints shall be readily available on HQAI’s website and easily understandable

1.9 **Subsidiarity**: complaints should be dealt with at the most immediate level that is consistent with their resolution

1.10 **Appeals**: it is possible to appeal against decisions made in the course of a complaint procedure.
2. Access and costs

2.1 HQAI shall maintain a dedicated web-page for informing the public about complaints. This page shall include at a minimum:

i. a summary of the complaint handling process
ii. contact information to file a complaint to the Executive Director or directly to the Advisory and Complaint Board
iii. a link to download the complaint handling policy and procedure (POL048 and PRO048)

2.2 Unless specific expenses are necessary for investigating a complaint, complaints shall not be invoiced to the complainant. If expenses are necessary, the following applies:

i. the allocation of costs for the further investigation of complaints shall be determined by the Advisory and Complaints Board. The following options for the allocation of costs may be considered, as relevant for the specific case:
   a. all costs borne by the audited organisation if it appears that the complaint is substantiated;
   b. all costs borne by HQAI if the complaint is substantiated and is the result of HQAI’s poor performance;
   c. by the complainant, taking due consideration of the fairness principle, in proportion to the quality of objective evidence provided, i.e. the more certainty there is of a problem, the less of a cost onus will be on the complainant;
   d. all cost borne by the complainant if it appears the complaint is abusive.

NOTE: a complaint cannot be filed by an audited organisation against a quality assurance decision made by HQAI about this same organisation as this would be considered an appeal and addressed by POL049 and PRO049 on appeals.

3. Filing a complaint

3.1 Consistently with the subsidiarity principle complaints shall be addressed at the most immediate level that is consistent with their resolution. To this effect:

i. complainants are encouraged to voice their complaint or concern directly with the people/institution involved;
ii. HQAI’s secretariat shall endeavour to resolve with the parties to a complaint an acceptable resolution.

If this approach is not successful, or not feasible due to the nature of the complaint, the complaint shall be formally filed following the process described below.

3.2 Complaints regarding

i. the performance of an organisation taking part in HQAI’s quality assurance programme; and
ii. complaints received from stakeholders against HQAI, its processes or staff
shall be filed in writing to HQAI’s Executive Director using the dedicated email address: complaints@hqai.org

3.3 Complaints regarding:
   i. HQAI’s Executive Director; or
   ii. any issue for which the complainant is concerned the Secretariat may have a conflict of interest in the issue in question

shall be filed in writing to the Chair of the independent Advisory and Complaint Board using the dedicated address ACB_chair@hqai.org

3.4 When filing a complaint, the complainant shall indicate at a minimum:
   i. state the date of the complaint;
   ii. indicate the name and contact details of the complainant;
   iii. disclose any possible connection with interests related to the complaint;
   iv. indicate against who the complaint is filed;
   v. describe the reasons of the complaint;
   vi. provide objective evidence sustaining the complaint.
   vii. if s/he opts to use the option provided in 3.3.ii., explain why this option is chosen.

NOTE: The note supporting a complaint may be short and simple, but shall include sufficient documented objective evidence to substantiate the complaint and identify the basis for the complaint. Dissatisfaction without any justified reason or based on hearsay will not be considered as a complaint and should be rejected.

4. Process for handling a complaint

4.1 For complaints addressed to HQAI’s secretariat, the following process applies:
   i. when receiving a complaint, HQAI shall acknowledge immediately its receipt without any discrimination against the appellant and inform the concerned parties of the process;
   ii. within 10 days of receipt of the complaint, the secretariat shall:
      a. examine if the conditions for receiving it are fulfilled;
      b. make a first evaluation of possible costs;
      c. revert to the complainant with a request to confirm the complaint and sign an agreement to pay the costs up to and including the full costs of the complaint process, as indicated under 1.2 above, and possibly a request for additional information;
      d. revert to the parties with a detail of the steps that will be followed (which may include not to address the complaint if it falls outside the scope of this procedure).
      e. invite the party against which the complaint is raised to respond to the allegations made in the complaint within 14 days after notification the complaint was received.
   iii. within 30 days of having confirmed the process to both parties, the Secretariat, will present a proposed resolution. This may involve several rounds of consultation with the parties.
iv. if the proposed resolution is not acceptable for one of the parties, it may appeal to HQAI in writing within 14 days of being informed of the decision, stating the reasons for continuing the process. Failure to do so in time will automatically leave the proposed resolution operational and close the complaint.

v. the secretariat will then transmit the file to the Advisory and Complaints Board that will address the issue at its next meeting, with the objective to finalise any and all complaints within a period of 1 year.

vi. if the matter is urgent the secretariat (at its discretion) may organise an extraordinary meeting of the Advisory and Complaints Board.

vii. unless otherwise specified in the Swiss legislation that rules HQAI, decisions made by the Advisory and Complaints Board are final.

4.2 For complaints addressed directly to the Advisory and Complaints Board, the following process applies:

i. when receiving a complaint, the Chair of the ACB shall acknowledge immediately its reception without any discrimination against the appellant and, as relevant inform the concerned organisation of the process;

ii. within 10 days of receipt of the complaint, the Chair of the ACB shall:
   a. examine if the conditions for receiving it are fulfilled;
   b. make a first evaluation of possible costs;
   c. revert to the complainant with a request to confirm the complaint and sign an agreement to pay the costs up to and including the full costs of the complaint process, as indicated under 1.2 above, and possibly a request for additional information; and
   d. revert to the parties with a detail of the steps that will be followed (which may include not to address the complaint if it falls outside the scope of this procedure), including a determination whether the complaint is urgent.
   e. invite the party against which the complaint is raised to respond to the allegations made in the complaint within 14 days after notification the complaint was received.

iii. if the complaint is not urgent, it shall be handled by the ACB at its first meeting following the reception of the complaint.

iv. if the complaint is urgent, the ACB Chair shall send the file to the other members of the ACB, in which case:
   a. within 30 days of having confirmed the process to the parties, the ACB, under the responsibility of its Chair, shall present a proposed resolution. This may involve several rounds of consultation with the parties.

v. if the proposed resolution is not acceptable by one of the parties, it may appeal to HQAI’s President of the Board of Directors in writing within 14 days of being informed of the decision, stating the reasons for continuing the process. Failure to do so in time will automatically leave the proposed resolution operational and close the complaint.

vi. the President will then nominate an ad hoc panel, making sure that all members of the panel are free of conflict of interest in the case in question
a. the panel may be composed of Directors from the Board, experts in the subject matter or a combination of both.

b. all parties to the complaint shall agree with the composition of the panel before it can address the complaint.

v. once the composition of the panel is accepted by the parties, the President shall send the file to the panel.

vi. if the matter is urgent the secretariat (at its discretion) may organise an extraordinary meeting of the Advisory and Complaints Board.

vii. unless otherwise specified in the Swiss legislation that rules HQAI, decisions made by the Advisory and Complaints Board are final.

5. Need for additional investigation

5.1 It may be that the resolution of a complaint requires further investigation than the information that is provided in the complaint or the response of the other parties.

5.2 In such a situation the body addressing the complaint shall do an assessment of costs, if any for this further investigation.

NOTE: in some cases, particularly for complaints against HQAI audited organisations, further investigation may mean field visit by auditors and thus involve significant costs.

5.3 The body addressing the complaint shall refer back to the parties to the complaint seeking their informed consent before engaging expenses.

5.4 Costs shall be distributed between parties in accordance with 2.2 above.

5.5 The need to carry out additional investigation may make that the timeframe indicated in clause 3. above cannot be respected. In any case HQAI shall strive to close any complaint within one year after it has been filed originally.

6. Decision

6.1 Any decision rendered on a complaint shall be communicated immediately to the parties.

6.2 The decision shall include:
   
   i. a summary of the events regarding the complaint;

   ii. a justified reply to each allegation brought forward by the parties;

   iii. a clear decision on the complaint, based on the reply to each individual argument;

   iv. a clear statement on the steps to be taken by each parties as a result of the decision;

   v. as relevant, the distribution of costs between the parties;

   vi. if not the decision of the appellate body, how and when to appeal against the decision.

6.3 The parties shall determine unanimously whether and, if so to what extent, the subject of the complaint and its resolution shall be made public.
7. **Documentation and reporting**

7.1 Upon closure of a complaint, the body responsible for addressing it shall transmit all the file to HQAI’s secretariat.

7.2 HQAI secretariat shall archive the whole file in a folder which access is restricted to authorised people.

7.3 Once a year at a minimum, HQAI shall report to the Board of Directors and the Complaint and Advisory Board of all complaints received during the year, their status and outcome.