

ACT Alliance COMPLAINTS POLICY

*Approved by the Governing Board in May 2021,
this policy replaces the October 2016 Complaints Policy*

1. Introduction

1.1 Striving for high quality

The ACT Alliance as a membership-based organisation is committed to providing high-quality humanitarian, development and advocacy programmes and to working in an open and accountable way.¹ The alliance was founded with clear respect for the independence of its members. At the same time, the ACT Alliance has a vested and collective interest in the performance of individual members or groups of members.

In an effort to achieve high quality, the ACT Alliance strives to meet and even surpass the expectations of its stakeholders, i.e., ACT members and their partners, communities with whom ACT members work, donors, supporters and the public. These commitments are clearly stated in the ACT Alliance's Code of Conduct as well as Code of Good Practice, part of ACT Alliance's Quality and Accountability Framework, a key document for ACT's certification process. There may, however, be occasions when the ACT secretariat or ACT Alliance members do not meet the reasonable expectations of all stakeholders at all times. ACT stakeholders have a right to raise a concern, give feedback and if necessary lodge a complaint when this occurs.

The ACT Alliance promotes accountable and transparent ways of working with all stakeholders. It encourages its members and the secretariat to address staff and stakeholder concerns quickly and effectively so that issues are resolved to the satisfaction of the concerned person and do not progress to the level of a complaint. Programme level concerns should be raised and discussed with responsible employees as close to the activity as possible.

In its efforts to contribute to effective prevention of sexual exploitation, abuse and harassment, the ACT secretariat has endorsed the SCHR's Misconduct Disclosure Scheme. Through this endorsement, the ACT secretariat is committed to **systematically check** with previous employers about any misconduct issues relating to sexual exploitation and abuse and to potential new hires and to **systematically respond** to such checks from others.

1.2 Purpose

The ACT Alliance Complaints Policy is managed by the ACT secretariat. Its purpose is to:

- recognise, promote and protect ACT stakeholder rights, including the right to raise a concern and/or complain in good faith about breaches or non-compliance to the ACT Alliance Code of Conduct and/or the Code of Good Practice;
- set out roles, responsibilities and timeframes on handling of complaints and provide clear policy guidance for responding to and resolving complaints against ACT members, staff of members, contractors, consultants, the ACT secretariat staff, the ACT secretariat;
- ensure a consistent mechanism to hold ACT members, staff of members, the secretariat staff and the ACT secretariat accountable in terms of their behaviour and compliance with ACT standards and policies;
- provide a confidential, safe, efficient and transparent mechanism for stakeholders to raise a concern or complaint about the work of an ACT member if that member does not have yet its own complaints policy in place;
- ensure that ACT learns from all situations in order to strive for high quality and continuous improvement in ACT's humanitarian, development and advocacy work;
- increase the level of stakeholder satisfaction with the work of the ACT Alliance.

¹ [ACT Alliance Founding Document](#), February 2009

The CHS (Core Humanitarian Standard) Guidelines for Investigations provide additional, specific and complementary guidance on the key principles underpinning complaints handling, including investigations, and outline the minimum standards for the establishment of complaints handling mechanisms within their own organisations and programmes.

1.3 Obligation to report

All ACT staff (as per definitions, this refers to, but is not limited to, all permanent and temporary staff, their dependents, interns, consultants, observers, volunteers, and all individuals working for or representing the ACT members and its secretariat) are obligated to report allegations, concerns or suspicions of breaches related to the ACT Alliance Code of Conduct and the ACT Code of Good Practice. Proven deliberate non-reporting may lead to disciplinary action.

1.4 Non-retaliation (whistleblowing)

The ACT secretariat seeks to provide a safe environment through which stakeholders can voice a concern, without fear of reprisal or unfair treatment. The ACT secretariat aims to ensure that complaints are addressed fairly, appropriately, and in a timely manner. The secretariat is committed to ensuring that people are able to raise genuine concerns:

- without any risk of losing their employment or entitlements or suffering any form of 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 the ACT secretariat will deal with it as a disciplinary action under the appropriate procedure; and
- knowing that complaints will be addressed in a confidential manner, and that all involved stakeholders will be bound to a confidentiality agreement.

The ACT secretariat 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) is 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 an ACT member or the ACT secretariat, disciplinary measures will be taken at the discretion of the employer.

Malicious complaints can be used to undermine CSO leadership and human rights leaders. It is therefore important that the ACT secretariat ensures robust and confidential investigations are undertaken as per CHS guidelines, guaranteeing confidentiality of all involved and a fair process. When dealing with an anonymous complaint, the complaints handling team needs to be extremely diligent to safeguard identities of all to avoid unnecessary harm to people involved, including the SoC.

1.5 ACT member and ACT secretariat responsibilities

All ACT members and the ACT secretariat have a responsibility to ensure that all their staff are aware of and understand the Quality and Accountability Framework, including but not limited to the ACT Alliance Complaints Policy, the ACT Alliance Code of Conduct, and the ACT Alliance Code of Good Practice.

The ACT secretariat support its members in their efforts to raise awareness within their staff, through different training opportunities, communities of practice and the ACT Learn Platform (fabo.org) offering e-learning courses such as courses on complaints handling, code of conduct and child safeguarding. All member staff and volunteers involved in ACT humanitarian response are required to sign the ACT Code of Conduct.

Each member of the ACT Alliance has a responsibility to handle and respond to the complaints they receive from their stakeholders in a timely manner. Equally, ACT governance and the ACT secretariat have a responsibility to handle and respond to complaints they receive. All complaints received by an ACT structure (e.g. Governing Board, ACT forum, Membership and Nominations Committee) should be immediately channelled to the ACT secretariat's Complaints Focal Point to ensure consistent management of the complaints. Any complaints received by the ACT secretariat Complaints Focal Point about the staff or activities of an ACT member organisation will be forwarded to the concerned organisation to handle and address while keeping the ACT secretariat's Complaints Focal Point informed. The ACT secretariat will maintain an updated list of all relevant contacts and names of complaints focal points from its members to allow for a confidential and quick referral process. If, however, the complaint is about the overall director of the member organisation at the headquarters level, the complaint will be referred to the relevant governance of the ACT member organisation.

The ACT secretariat has a responsibility to inform the ACT members of this Complaints Policy including the ACT Alliance Code of Conduct, the ACT Alliance Code of Good Practice, how to complain and the scope of issues that can be complained about. The ACT secretariat shall appoint a Complaints Focal Point who will also be the Child Safeguarding Focal Point.

The ACT secretariat is also responsible to ensure that all those involved in receiving and handling complaints, (being it within the secretariat or within the Complaints Handling Committee) are trained in how to best receive, deal with and communicate about complaints, specifically sensitive complaints. The Complaints Handling Committee also will be regularly updated on new developments and best practice within the sector relating to complaints handling. The ACT secretariat expects the same commitment to capacity building from its members.

1.6 Responsibility to those ACT serves

The ACT secretariat recognises that as an alliance it has a specific responsibility to address the wellbeing and protection of communities with whom ACT members work. The primary responsibility for this lies with each ACT member. The ACT secretariat is, however, responsible for complaints it receives against ACT members in relation to a breach of the ACT policies and standards.

ACT members commit to mainstream protection and safeguarding in all their work, and at a minimum, to ensure that mechanisms are in place to prevent and respond to sexual exploitation and abuse (SEA) as well as other forms of gender-based violence. Such requirements include safe recruitment mechanisms, risk assessments and management, awareness raising and trainings, which serve to prevent any potential policy breaches. They also commit to ensure that people they work with have access to information and how they can give feedback or raise complaints as well as participate in ACT's work. The ACT secretariat therefore encourages all its members to develop their own accessible, safe and effective complaints mechanism for their stakeholders. Where this is not the case, members should promote and use the ACT complaint mechanism, as described by this policy, as an alternative. At a minimum, a safe referral system should be in place to address allegations of sexual exploitation and abuse, fraud and corruption. This includes having clear procedures/guidelines, which are accessible and appropriate to the local context, for how community members and children themselves can report a breach of the Code of Conduct or Code of Good Practice by a staff member or any other person associated with the ACT member. Communities and people affected by crisis with specific attention to people at risk of SEA should be consulted on the design, implementation and monitoring of the complaints handling processes put in place. Linked to these complaints and referral systems, members also need to have a procedure in place for managing and investigating received complaints fairly, thoroughly, confidentially and independently, maintaining a survivor-centered approach throughout.

All ACT members are expected to inform their partners and communities of organisational commitments, the expected behaviour of staff (including on prevention of sexual exploitation), how to complain and the scope of issues that can be complained about.

1.7 Complaints Handling Committee (CHC)

The ACT Alliance Complaints Handling Committee (CHC) is part of the Quality and Accountability Reference Group and shall provide advice and support on complaints received by the secretariat and Governing Board. The CHC has a responsibility to ensure any complaints received and forwarded to members are managed according to the ACT Alliance Complaint Policy. It is composed of a minimum of five persons, drawn from the following:

- The ACT secretariat General Secretary.
- At least three persons from ACT members who may or may not be part of the ACT Governing Board and who have technical expertise in complaints handling, including expertise in Human Resources. The CHC is a sub-group of the ACT's Quality and Accountability Reference Group, its members are therefore part of the Q&A Reference Group.
- The Complaints Focal Point (staff member of ACT secretariat).

Coordination for the Complaints Handling Committee will be provided by the Complaints Focal Point. The Complaints Focal Point will be a senior staff member and the position is formally included in the job description. The General Secretary will replace the Complaints Focal Point in case of long absences (holidays, travels, sick leave). S/he will have access to the complaints email address and handle received complaints in coordination with the Complaints Focal Point in order to guarantee confidential handovers and follow-up of complaints. All complaints received by the ACT secretariat through any other means will be channeled to the Complaints Focal Point who will work closely with the Complaints Handling Committee (CHC). It is important that the ACT General Secretary participates in the CHC, at a minimum by receiving briefings from the Complaints Focal Point on how complaints are managed by CHC and how investigations are progressing, when relevant.

The Complaints Handling Committee is accountable to the General Secretary and will annually report the work of the group to the Governing Board. CHC members are nominated by the General Secretary for a two-year period, renewable for a maximum of two periods. If there is a conflict of interest that makes it inappropriate for a CHC member to participate in the review of a particular complaint, an alternative CHC member will be sought.

2 Scope of the policy

This policy applies to the work performed by ACT members and the ACT secretariat in relation to alleged breaches of the ACT Alliance Policies and Standards. It reflects the ACT secretariat's role towards its members, and specifically in supporting them setting up efficient complaints mechanisms. This policy does not replace individual policies of ACT members nor their own complaints handling role. It is however designed to allow different stakeholders to raise complaints, when a member's handling of a complaint and subsequent appeal was unsatisfactory or not in line with best practice as included in commitment 5 of the Core Humanitarian Standard or if the complaint against the ACT member concerns a Senior staff or Board/Governance member of the organization. The policy is also designed to handle all complaints directed against the ACT secretariat's own staff.

The ACT secretariat requires mandatory complaints mechanisms for all its members when receiving funds through the ACT Alliance. The secretariat recognizes however that some members do not have a complaints mechanism and encourages its members to have a plan for developing a complaints policy to be compliant with the Core Humanitarian Standard or an equivalent quality and accountability standard. For members

who are not yet offering a functional complaints mechanism to their stakeholders, the ACT secretariat will also receive and handle complaints on behalf of these members, in full transparency and cooperation with the member.

2.1 Complaints addressed by this policy

The ACT secretariat will accept the following complaints:

- Complaints against a member of staff of the ACT secretariat, who, in the course of their work allegedly is in breach of the ACT Alliance Code of Conduct or Code of Good Practice and where the ACT secretariat has a direct contractual responsibility. Such complaints will be handled by the ACT Alliance Complaints Handling Committee.
- Complaints against a member of staff of an ACT member who, in the course of their work, allegedly is in breach of the ACT Code of Conduct or Code of Good Practice. Such complaints will be referred to the ACT member organization for direct handling of the case, unless the ACT member has no functional complaints mechanisms, requests the ACT's secretariat support for handling the case if there is an apparent conflict of interest or potential risk of retaliation to the complainant or any other person involved in the case by the ACT member. The ACT Alliance Complaints Handling Committee will liaise with the ACT member to identify the most appropriate way of handling such a complaint.
- Complaints against ACT member organisations who, in the course of providing humanitarian, development assistance and/or advocacy work, allegedly fail to apply, enforce, or otherwise implement the ACT Alliance Standards and Policies. Such a complaint can be detrimental not only to programme participants and people at risk, but also to the reputation of the ACT Alliance itself. They will be handled by ACT's Complaints Handling Committee.
- Complaints against ACT member organisations after completion of a complaints process including an appeal using the member's appeal procedure when the complainant alleges that the member organization has not adhered to its standard complaints procedure and best practice. Complaints of this nature will be handled by ACT's Complaints Handling Committee. The objective of this process will be adherence to agreed complaints and investigation procedures; the Complaints Handling Committee will not investigate the alleged breach itself.

When a complaint is referred to a member organization, the CHC needs to be informed about the complaints handling process, expected timelines and outcomes. The member organization must inform the CHC of its decision and follow-up actions once the case is closed.

If a complaint is received from a member organization, the CHC will keep the member organisation informed about the complaints handling process, expected timelines and outcomes.

If a person or organisation submits a complaint that is not within the scope of the Alliance as outlined above, s/he/it will be informed and the complaint will be referred accordingly to a relevant party in a manner consistent with good practice and agreed processes.

2.2 Complaints not addressed by this policy

Complaints such as, but not limited to, the complaints listed below are not addressed by this policy. However, the ACT secretariat or ACT governance may respond to such complaints and/or refer them to a relevant party:

- Complaints against a partner organisation of an ACT member when the partner is not an ACT member and the partner is not receiving funds through an ACT member from an ACT funding mechanism. Such complaints must be addressed directly between the partner organisation and the relevant ACT member organisation. Any such complaints received by the secretariat will be referred back to the relevant ACT member for action.

- Complaints related to employment contracts of staff of ACT members and employee terms and conditions. Such complaints are covered by employer human resource policies and staff rules and regulations.
- All ACT secretariat staff grievances, unless related to an alleged breach of the Code of Conduct or the Code of Good Practice. Such grievances are covered by the staff rules and regulations and the related complaints response mechanism and are not covered in this policy.
- Complaints that are already the subject of legal proceedings.

All complaints received by ACT's Complaints Handling Committee will be acknowledged and complainants informed about potential referrals to another instance.

The ACT secretariat and ACT governance will not respond to the following complaints:

- Complaints against a policy or position which has been taken by the ACT Alliance and/or an ACT member, for advocacy purposes, unless that policy or position is in breach of an ACT policy or standard.

2.3 Anonymous complaints

ACT recognises that at times people with genuine concerns cannot speak out because of special circumstances and may wish to lodge a complaint with a staff person without revealing their identity to a wider audience. This is why ACT also accepts anonymous complaints and will deal with them seriously because of the potential for future abuse and harm. Every possible effort will be made to address the complaint when there is sufficient information to look into the allegation. However, the ACT secretariat is also conscious of potential manipulation of complaints for political or personal purposes. Therefore, anonymous complaints should include as much information and details as possible to allow further preliminary inquiries. If insufficient information has been shared, the ACT secretariat will not be able to deal with such anonymous complaints. Anonymous complainants need to be as well aware of ACT's inability for giving feedback in such cases.

2.4 Confidentiality

ACT recognises that confidentiality is critical to a satisfactory complaints handling outcome because it protects the privacy and safety of the survivor/victim, the complainant, the SoC, other witnesses and ACT staff. Ensuring strict confidentiality is paramount when handling sensitive complaints. The facts and nature of the complaint, the identity of the key participants and the investigation records are confidential. This means that access to and dissemination of information will be restricted only to a limited number of authorized people for the purpose of concluding a necessary investigation. The SoC however must have information on the exact allegations against her/him/their including dates, locations and potential survivors in order to enable her/his /their response, latest during the SoC's interview with the investigation team. ACT shall only allow disclosure when:

- it is required by law;
- it is required by management in the best interests of the organisation and the parties;
- it is a breach of national and/or international law; and
- it is needed to obtain specialist help for the survivor or advice on the evidence.

Should the matter become public at any time, the ACT Governing Board shall issue a public statement about the procedures followed and the status and/or the outcome of the complaint review. The Complaints Handling Committee will not release details about the complaint. Any paper records relating to complaints shall be kept in a locked cupboard and electronic files shall only be accessible to the Complaints Focal Point, the Complaints Handling Committee as well as the designated investigation team. All files must be either

password protected or kept in a secured electronic vault. No confidential information shall be shared via unprotected email communication. All personal files related to a complaint, substantiated or not, need to be destroyed as per legal requirements on data protection.

3 Lodging a complaint

3.1 Who can complain:

Complaints can be lodged by all ACT stakeholders, including affected populations, communities with whom ACT members work, ACT members and their partners, the ACT secretariat, donors, supporters, ACT staff and the public.

3.2 When to complain

A complaint should ideally be lodged as soon as possible after the complainant becomes aware of the concern, in order to maximise the effectiveness of any potential investigation. However, and considering the barriers and difficulties for reporting, the secretariat is willing to accept complaints at any time.

3.3 How to complain

The ACT website contains details of how to complain, including a sample complaints letter format (www.actalliance.org/complaints).

Complaints must be addressed to the Complaints Focal Person at the ACT secretariat using any of the following means (letter, email, phone or personal contact). It is important to include as much information as possible on identities of the SoC, the organisation and potential witnesses. Except in the case of an anonymous complaint, contact information of the complainant needs to be given for further communication and investigations. Complaints from children or on behalf of a child (anyone under the age of 18) will be managed by the ACT Child Safeguarding Focal Point; whenever possible, in person.

Please refer to **Annex 2** attached, for a sample complaints letter format. This should serve as a guide and can be adapted as appropriate. When the details have been completed, it should be sent by letter or email to the following contacts:

- *By letter, addressed to:*
 “The Complaints Focal Person”
 ACT Alliance Secretariat
 150 Route de Ferney
 PO Box 2100
 1211 Geneva 2
 Switzerland
- *By email, to:* complaintsbox@actalliance.org
- *By phone call or sms/text message (number to be made available on ACT website on Complaints page)*

Please note that English, French and Spanish are preferred languages for receiving and dealing with complaints in order to limit the number of people having knowledge of the complaint. However, if complainants are unable to communicate in these languages, the ACT secretariat will also accept complaints written in other languages. However, the process for dealing with such a complaint might be longer.

3.4 Confirmation of receipt of complaint

The complainant shall receive confirmation of receipt of the complaint, where possible, within three (3) working days after the ACT secretariat receives the complaint. The email, letter or phone call should give the following information:

- when and how the complaint was received;
- how the CHC has responded to the complaint so far and what it will do next;
- the name of the focal point or person responsible for the complaint; and
- the person to contact with questions or feedback.

4 Investigating a complaint

4.1 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 person who received the complaint. The Complaints Handling Committee must decide if the allegation warrants an investigation. This can be decided by asking the following questions through a preliminary inquiry:

- 1) Does it relate to a breach of the ACT Code of Conduct and ACT Code of Good Practice?
- 2) What is the level of risk for all involved? Will an investigation process and/or potential outcomes put the lives of any parties to the complaint at risk, and if so, can all reasonable steps be taken to ensure those risks are minimised?
- 3) Does the complaint constitute a 'complaint' as defined by the ACT Complaints Policy?
- 4) Is there enough information to investigate?

4.2 The investigation process

The investigation will follow the key steps and processes as outlined in the *CHS Complaints and Investigation guidelines*. The ACT secretariat commits to keeping any investigation as survivor-centered as possible, taking into account all possible security, medical and legal constraints and opportunities.

4.3 Feedback on investigation outcome

The ACT secretariat will actively encourage its members to adhere to the Misconduct Disclosure Scheme², contributing to a coherent feedback on investigation outcomes and disciplinary approach across the membership. However, this process is not proactive; feedback is only provided upon request from the recruiting organisation.

The ACT secretariat will communicate the final outcome of an investigation to the complainant(s), where possible, **60 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 ACT's control. The complainant will not receive details of the investigation but will be informed of the outcomes of the investigation. Possible outcomes include that the complainant:

²The Inter-Agency Misconduct Disclosure scheme, launched in January 2019, addresses the specific problem of known sexual abusers moving within and between different humanitarian and development agencies. The two main commitments for participating agencies are a commitment to *systematically check* with previous employers about any SEA issues relating to potential new hires and a commitment to *respond systematically* to such checks from others (<https://www.schr.info/the-misconduct-disclosure-scheme>)

- was substantiated and referred to management or the ACT member for a decision on discipline;
- was not substantiated due to insufficient or unclear evidence;
- was not substantiated due to sufficient evidence to clear the subject of the complaint or to establish a malicious complaint.

In case of an allegation of sexual misconduct which was not established due to insufficient or unclear evidence, careful consideration must be given on how to inform the survivor about the outcome; taking into consideration that such outcomes can revive the experienced trauma and might need additional support.

4.4 Disciplinary procedures

For ACT members:

If an ACT member does not take appropriate action following a substantiated complaint against one of its staff to minimize the risk of similar breaches in the future, or if an ACT member does not report back on the handling of a complaint referred by the CHC within the agreed time frame, then these could be grounds for disciplinary action against the ACT member, through the Membership Disciplinary Policy. This includes non-dismissal of staff found to have sexually abused or sexually exploited a child, or other serious breaches of the ACT Code of Conduct.

The CHC, via the ACT General Secretary, may also recommend disciplinary procedures against ACT member(s) to the Membership and Nomination Committee in relation to wider complaints of member non-compliance. In such cases, the CHC will take all necessary steps to maintain a high level of confidentiality about the identity of the persons involved in the complaint.

The ACT Complaints Handling Committee may liaise with and recommend disciplinary procedures against ACT member(s) to the Membership and Nominations Committee. Disciplinary procedures may lead to censure, suspension of privileges and/or exclusion of membership as outlined in the ACT Membership Disciplinary Policy. The Membership and Nominations Committee makes final recommendations to the Governing Board.

The Complaints Handling Committee can also consider recommending to the MNC suspension of privileges and/or membership where a complaint into misconduct is under investigation (e.g. suspending access to funding through the ACT humanitarian mechanism if there is evidence of fraud or corruption) or if a complaint is not being followed up and resolved in a timely and appropriate manner. Decisions will be made on a case-by-case basis using a risk assessment approach.

For staff of ACT members:

The ACT Complaints Handling Committee may recommend disciplinary procedures against staff of ACT members who are found to be in breach of a relevant code of conduct to the management or governance body of the ACT member. These recommendations need to take into account national applicable labor law. However, it is the final decision of the ACT member as to the appropriate disciplinary action to take.

For ACT secretariat staff:

The ACT Complaints Handling Committee may recommend disciplinary procedures against staff of the ACT secretariat to the General Secretary, or to the Governing Board if the complaint was related to the General Secretary. These recommendations need to take into account national applicable labour law. However, the final decision on disciplinary action is to be taken by the ACT General Secretary in consultation with the direct supervisor (for staff) or by the Governing Board (for the General Secretary). An ACT secretariat staff member who is found to have abused or exploited a child will be dismissed from their post.

4.5 Appeal process

If the complainant(s) or subject(s) of a complaint does not accept the outcome of the investigation, he/she/it/they can appeal the disciplinary 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 General Secretary, who in turn will inform the Executive Committee. If the General Secretary is implicated in the case, then the appeal letter can be directed to the moderator of the Governing Board. Members of the Executive Committee who may have been part of the investigation must not be involved in the appeal process.

The Executive Committee should aim to convene the appeal meeting within **30 days** of the request for appeal. The meeting will enable the complaint to be heard again. The Executive Committee will then make a decision regarding appropriate action that may be required to resolve the situation. The decision will be communicated, where possible, in **writing within 10 days of the meeting**. The decision of the Executive Committee is final.

5 Learning and Review of Policy

5.1 Follow up and learning

The ACT secretariat shall keep a record of all complaints received from all stakeholders depending on the legal requirements of the contracting organisation. The Complaints Focal Point will develop a synthesis report of the types of complaints received and the status of their resolution annually, in addition to any lessons learned. This report should be presented first to the ACT Complaints Handling Committee for comment and then submitted to the ACT governance. Periodic reports on complaints and investigation outcomes will be made public, while preserving confidentiality. Complaints' analysis will feed into ACT Alliance strategy review and future management decisions. Names of complainant(s), organisations, witnesses, and SoCs will not be revealed in public reports.

5.2 Policy Review

Minor changes to this policy, in line with best practice and developments within the sector can be approved by the Complaints Handling Committee. The policy should be fully reviewed every four years to take into account any lessons learned from handling complaints and to take into consideration any feedback received from the users of the complaints policy, including communities and children. ACT members should routinely be consulted as part of the review process.

Annex 1: Key Definitions

A number of key terms are used throughout this document, they are defined as follows:

ACT Staff: refers to but is not limited to all permanent and temporary staff, their dependents, interns, consultants, observers, volunteers, and all individuals working for or representing the ACT members and its secretariat.

Dependents: any individual accompanying a staff member abroad and living on premises which are rented or belong to the organisation.

Complainant: the person making the complaint, including the alleged survivor of the misconduct or another person who becomes aware of possible misconduct.

Complaint: a specific grievance of anyone who has been negatively affected by an organisation's action or who believes that an organisation has failed to meet a stated commitment.

Investigation: a systematic process through which information is gathered that proves or disproves an allegation.

Obligation to report: staff have an obligation to report any knowledge, suspicions, or concerns of breaches of the ACT Code of Conduct or ACT Code of Good Practice through appropriate channels as outlined in the Complaints Policy, including suspicion of sexual exploitation and abuse. This obligation does not include an obligation of disclosure by a survivor.

Sensitive complaints: any allegation of child abuse and exploitation including sexual, allegations of sexual exploitation and abuse, fraud and corruption by staff of an ACT member or ACT secretariat. 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 as well as complaints related to child abuse and exploitation including sexual are formally investigated by an expert team.

Subject of Complaint³: the person alleged to have perpetrated the misconduct in the complaint.

Witness: a person who gives testimony or evidence in the investigation, including the survivor, the complainant, the subject of complaint, the staff member of a partner organisation, or another staff member.

³The ACT secretariat is aware of ongoing discussions within the humanitarian sector about the use of subject of complaint and subject of concern. The discussion is linked to considerations linked to whistle-blowers who raise a concern and not a complaint. However, the ACT secretariat decided to keep the initial denomination of Subject of Complaint to also acknowledge the terminology used within its membership.

Annex 2: Suggested complaint letter format

This form should be completed (or adapted) by the person or organisation wishing to lodge a complaint or through a third party.

(All 'sensitive' complaints related to sexual exploitation and abuse, fraud and corruption and misconduct will be held securely and handled strictly in line with applicable confidentiality, reporting and investigation procedures.)

A: General data

1. Name of the person or organisation lodging the complaint _____
 Male/Female _____ Age _____
2. Address: _____
 Tel: _____ Email: _____
3. Name of the person or organisation you wish to lodge a complaint against (if known):

4. Date of incident _____ Time of incident _____
5. Place of incident _____
6. Date of report _____ Time of report _____

B: Brief description of the incident or concern

C: Name of witnesses (if any/ and if relevant) Supply the names of witnesses and where they can be contacted, if known:

D: Describe action taken. If this is a complaint related to sexual exploitation and abuse, please provide detailed information regarding what medical assistance has been provided, what psychosocial care has been provided and whether a report has been made to the Police.

E: State what kind of response you expect from the ACT Alliance and how you wish to see the matter resolved

Name: _____ Signature _____

Date: _____