



Complaints Management Policy

POL048-Complaints_Management_Policy-2024-06-26

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How to give feedback or contribute to the process?

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Table of contents

.....	1
POL048 - Complaints Management Policy	3
I. Key principles.....	3
II. References.....	3
III. Scope	4
IV. Definitions	4
1. Receiving Complaints	5
2. Responding to Out of Scope Complaints	5
3. Frivolous, Malicious and Vexatious Complaints.....	6
4. Cost.....	6
5. Complaints Fact-Finding and Investigation Process	6
6. Outcome of Complaints Process.....	6
7. Appealing a Complaints Decision	7
8. Record Keeping	7
9. Reporting of Complaints.....	7
10. Accountability, Learning and Improvement.....	7

POL048 - Complaints Management Policy

I. Key principles

HQAI welcomes all complaints that are within the scope of its complaints policy and procedure. The principles that underpin the complaints system of HQAI and what these mean for HQAI is described below.

1. **Transparency:** communication between parties to a complaint shall be open and honest, unless information must be limited for confidentiality, privacy, safety or other reasons.
2. **Impartiality:** any person handling a complaint shall treat the complaint on its merits and any actual or perceived conflicts of interest must be declared. They shall make decisions based on objectivity rather than bias or prejudice. The complaints handling process and governance should be able to demonstrate that it is independent from the parties involved in the complaint.
3. **Confidentiality:** identifying information relating to the complaint should only be made available to people who need to know, and those people should be cognizant of any risks related to the sharing of information. Systems shall be in place to ensure all privacy requirements when collecting and using information.
4. **Fairness:** proceedings shall be fair to all parties to the complaint. In particular, cost considerations shall not be a deterrent for founded complaints.
5. **Safety and Well-being:** ensuring the safety and well-being of parties involved in the complaint shall be a priority and this will guide how HQAI deals with the complaint.
6. **Timeliness:** HQAI will endeavour to resolve complaints within a reasonable timeframe and will communicate promptly with those involved in the complaint about timeframes and progress.
7. **Accessibility:** information about HQAI's complaints policy and procedure, how to file complaints shall be made available to stakeholders, as far as possible, taking into account cultural attributes and language requirements.
8. **Efficiency and Proportionality:** whilst ensuring these principles are upheld, HQAI will efficiently apply methods that are appropriate to the complexity and sensitivity of each complaint.
9. **Appeals:** it is possible to appeal against decisions made relating to a complaint to an independent body which has not been involved in the original decision.

II. References

ISO/IEC 17065 - Conformity Assessment Requirements for bodies certifying products, processes and services (2012)
HQAI GOV001 - Articles of Association
HQAI PRO114 - Third-party quality assurance procedure
HQAI PRO048 - Complaints management procedure
HQAI PRO050 - Advisory and complaint board

III. Scope

This policy applies to all complaints that are lodged with HQAI. To be within the scope of this policy, complaints must be filed by external stakeholders about the behaviour or conduct of HQAI staff, contracted personnel (including auditors), interns, volunteers and members of HQAI governance bodies. The policy includes how HQAI deals with complaints that it receives that are out of scope, including internal grievances and Third-party Observations of Interest (TPOI) (see chapter 2).

IV. Definitions

For the purpose of this policy the following definitions of key terms will apply.

- Complaint:** A report about a perceived or real issue raised by an individual, group, organisation or community. A complaint is negative inasmuch as it reports a level of dissatisfaction, discontent or concern with the conduct or behaviour of HQAI staff, contracted personnel (including auditors), interns, volunteers and members of HQAI governance bodies.
- Complainant:** The individual, group, organisation or community lodging the complaint.
- Complaints Officer/Handler:** The staff member of HQAI appointed to manage the complaint. This could be a HQAI staff member with duties related to managing complaints within their Job Description.
- Subject of Complaint:** The individual/s who the complainant alleges has behaved in a way that the complainant feels is unsatisfactory. There could be multiple subjects of a complaint.
- Appellant:** An individual, group, organisation or community who lodges an appeal of the complaints decision.
- Feedback:** A report to HQAI from an individual, group, organisation or community that is complimentary, positive, neutral or negative about the organisation, its people or processes but the source of the feedback has not formalised the feedback as a complaint.
- Stakeholders:** In the context of this policy, stakeholders include any individual, group, organisation or community that HQAI has directly or indirectly engaged with.
- Serious Complaint:** A complaint about the conduct or behaviour of HQAI staff, contracted personnel (including auditors), interns, volunteers and members of HQAI governance bodies that represents a significant deviation from the expectations of HQAI. As a guide, serious complaints would include conduct or behaviour involving alleged or actual 'Acts of Misconduct' as described in the HQAI Code of Conduct. HQAI can apply its discretion to treat other misconduct as a serious complaint.
- Non-serious Complaint:** A complaint about the conduct or behaviour of HQAI staff, contracted personnel (including auditors), interns, volunteers and members of HQAI governance bodies that is not defined as a serious complaint.
- Third-Party Observation of Interest (TPOI):** A complaint from an individual, group, organisation or community about the work of an organisation audited by HQAI or personnel of the organisation. It is of interest to HQAI because it might be deemed sufficiently relevant to be considered indirectly as part of the audit process.

1. Receiving Complaints

The principles of accessibility, confidentiality, timeliness and transparency are particularly pertinent to the policy governing how HQAI receives complaints.

HQAI acknowledges that optimally complaints systems should be context and culturally specific and this is especially relevant to promoting complaints mechanisms that are accessible. Due to the breadth of the work of HQAI in communities throughout the world and the fact that HQAI has no presence outside of Switzerland, HQAI recognises the challenges inherent in ensuring its complaints system is accessible to all and cognizant of the wide variety of contexts in which people who might wish to complain live. HQAI will ensure that:

- HQAI staff and contracted personnel are trained and equipped to, as well as accountable for, informing stakeholders about how they can complain to HQAI.
- There is more than one channel through which people can complain.
- It seeks out opportunities to collaborate with and utilise existing complaints handling processes (collective mechanisms such as Loop and/or the complaints mechanisms of organisations that have engaged HQAI). Insofar as HQAI's policies and principles relating to complaints management can be upheld.

HQAI management is responsible for ensuring that there are processes in place which help to build stakeholder confidence in the complaints management process.

HQAI distinguishes between serious and non-serious complaints and recognises that complaints need to be handled differently if the complainant is a child, or the Complaints Officer or Executive Director are parties to a complaint. The procedures covering these scenarios are described in PRO048.

Anonymous Complaints

HQAI recognises that potential complainants could be fearful of recriminations or negative consequences of lodging a complaint and thus may wish to express their concern to HQAI whilst remaining anonymous. HQAI will primarily promote stakeholder confidence in its complaint mechanisms (as underpinned by its key principles). In parallel, HQAI accepts anonymous complaints, recognising that there are limitations to the extent to which HQAI can respond to and investigate an anonymous complaint including providing feedback to the complainant.

2. Responding to Out-of-Scope Complaints

HQAI recognises that it might receive 'complaints' which are outside of the scope of its complaints management process as defined above. It is important for HQAI to both respond efficiently to these complaints as well as to register them in order to inform learning and improvements to the system.

The complaints system is one of the means through which HQAI can receive information from stakeholders about audited organisations that could add to the information collected during an audit process. These pieces of information are called Third Party Observations of Interest (TPOI). HQAI has a process through which it manages TPOI outside of the complaints handling process.

Internal grievances refer to complaints made by HQAI staff, contracted personnel, volunteers, interns and members of corporate bodies against other HQAI staff, contracted personnel, volunteers, interns and corporate bodies. These are out of scope of the complaints management process and are dealt with through HQAI's internal grievance process.

All out of scope complaints are referred to the appropriate HQAI process and/or the complainant is made aware of external parties to which they could direct their complaint.

3. Frivolous, Malicious and Vexatious Complaints

HQAI is not obliged to consider complaints that it has assessed as frivolous, malicious or vexatious. To help determine whether a complaint is frivolous, malicious or vexatious, the following definitions shall be applied.

Frivolous complaint: a complaint about a minor or trivial matter than can more appropriately be dealt with through another channel such as a discussion. It includes complaints about matters that have already been resolved.

Malicious complaint: a complaint that is motivated by dishonest intent or with the intent to cause harm to another person. These include complaints that convey threats or intimidation.

Vexatious complaint: a complaint that is intended to disrupt or has the effect of disrupting or clogging up the complaints handling process. These include complaints that are unreasonably escalated (e.g., appealed without presentation of new information) or are lodged multiple times through the same or related systems.

HQAI reserves the right to pursue legal action or seek payment reflecting actual costs incurred by HQAI from individuals or organisations found to have lodged a frivolous, malicious or vexatious complaint.

4. Costs

In principle, filing a complaint should not involve cost for the complainant. Exceptions are frivolous, malicious and vexatious complaints.

5. Complaints Fact-Finding and Investigation Process

Based on the determination of the Complaints Officer about whether the complaint is serious or non-serious, the Complaints Officer will implement the appropriate complaints fact-finding procedure for non-serious complaints and investigations for serious complaints.

HQAI management shall ensure that the Complaints Officer is appropriately trained and supported to effectively undertake the fact-finding processes according to the principles and procedures of HQAI. The Complaints Officer has the authority to consult with people and organisations as they see fit in order to carry out their assessment.

For serious complaints, the Executive Director is responsible for appointing an investigator to undertake the investigation. The investigator could be from within HQAI or external to HQAI but must be able to demonstrate that they are appropriately qualified and experienced. Depending on the nature of the serious complaint, the Executive Director will involve HQAI's Safeguarding Focal Point.

6. Outcome of Complaints Process

Accountabilities and checks are built into the process to ensure that complaints are resolved in accordance with the principles, policy and procedures of HQAI, can be justified and communicated appropriately to the parties involved. Each complaint could have one of the following outcomes:

- Complaint processed, appropriate actions taken and communicated - Closed nil further action
- Complaint processed, appropriate actions taken and communicated - Pending appeal to ACB
- Withdrawn

Each outcome must be recorded and communicated to the respective parties.

7. Appealing a Complaints Decision

HQAI shall uphold the rights of both the complainant(s) and subject(s) of complaint to appeal the decision made by HQAI regarding the complaint. Grounds for appealing the complaints decision is limited to a party to the complaint finding that the process followed by HQAI in considering the complaint did not satisfactorily follow the HQAI Complaints Management policy and/or procedure. The appeal shall be dealt with by the Advisory and Complaints Board (ACB) according to the procedures described in PRO048 Complaints Management Procedure.

All appeals must be considered by ACB members who have not been involved in dealing with the original complaint in order to assure the independence of the appeals process. For this reason, those involved in dealing with a complaint shall not inform the ACB of the details of any complaint until after it is clear that no appeal is being lodged.

The decision of the ACB in considering the appeal is final and whilst HQAI shall record any dissent with the appeal decision it will not consider any further appeal relating to the same or very similar matter.

8. Record Keeping

HQAI shall maintain and store confidential and complete records of each complaint it receives in a secure location with restricted access. The Complaints Summary Record and reports of complaints must only include de-identified information.

9. Reporting of Complaints

On a bi-annual basis the Executive Director shall report to the ACB Chair the status of all complaints. The Executive Director shall ensure that a report of complaints received by HQAI and a summary of how they were dealt with using de-identified information is made publicly available on an annual basis.

10. Accountability, Learning and Improvement

HQAI recognises that complaints are a source of information that can assist the organisation to become aware of shortcomings and identify and implement actions that improve the quality of the services it delivers.