



<b>Policy</b>	Complaint Policy
<b>Procedure</b>	Complaint Procedures
<b>References</b>	96.41(a)-(h), Hague Technical Guidance E.8, E.6, E.6a, E.9,

**Policy:** It is the policy and practice of Frank Adoption Center (“Frank”) to have written complaint policies and procedures that incorporate the standards in 22 CFR 96.41 (b) through (h) and to provide a copy of such policies and procedures, including contact information for the Complaint Registry, to prospective adoptive parents at the time the adoption services contract is signed. It is the practice of Frank to insert the complaint policy and procedure for submitting a complaint to Frank in each adoption service agreement and to require signatures by prospective adoptive parents. *22 CFR 96.41(a)*.

Frank permits any birth parent, prospective adoptive parent or adoptive parent, or adoptee to lodge directly with the agency or person signed and dated complaints about any of the services or activities of the agency or person (including its use of supervised providers) that they believe to raise an issue of compliance with the Convention, the IAA, the UAA, or the regulations implementing the IAA or UAA, and advises such individuals of the additional procedures available to them if they are dissatisfied with Frank’s response to their complaint. It is the policy and practice of Frank to inform all complainants regarding the Complaint Policy, as outlined in Frank’s adoption services agreement. *22 CFR 96.41(b)*.

It is the policy of Frank to respond in writing to complaints received pursuant to 22 CFR 96.41(b) of this section within thirty (30) days of receipt, and to provide expedited review of such complaints that are time-sensitive or that involve allegations of fraud. *22 CFR 96.41(c)*. It is the policy and practice of Frank to accept and process a written 96.41(b) complaint regardless of the length of time that has passed since the event or service triggering the concern. *HTG E.6*. It is also the policy and practice of Frank not to limit the acceptance of 96.41(b) complaints to Hague Convention cases, it is the policy and practice of Frank to accept and process 96.41(b) complaints regardless of whether the issue originated from a Convention or non-Convention case. *HTG E.6a*.

It is the policy and practice of Frank to maintain a written record of each complaint received pursuant to *22 CFR 96.41(b)* and the steps taken to investigate and respond to it and makes this record available to the accrediting entity or the U.S. Department of State upon request. *22 CFR 96.41(d)*.

Frank does not take any action to discourage a client or prospective client from or retaliate against a client or prospective client for: making a complaint; expressing a grievance; providing information in writing or interviews to an accrediting entity on Frank’s performance; or questioning the conduct of or expressing an opinion about the performance of Frank. *22 CFR 96.41(e)*.

Frank provides to the accrediting entity and the Secretary, on a semi-annual basis, a summary of all complaints received pursuant to 96.41(b) during the preceding six months (including the number of complaints received and how each complaint was resolved) and an assessment of any discernible patterns in complaints received against the agency or person pursuant to 96.41(b), along with information about what systemic changes, if any, were made or are planned by the agency or person in response to such patterns. *22 CFR 96.41(f)*.

Frank provides any information about complaints received pursuant to 96.41(b) of this section as may be requested by the accrediting entity or the Secretary. *22 CFR 96.41(g)*.

Frank understands and appreciates that feedback from any birth parent, prospective adoptive parent or adoptive parent, or adoptee. It is the policy and practice of Frank to view such feedback as an opportunity to continue to improve the quality of services it provides.

It is the policy of Frank to have a quality improvement program appropriate to its size and circumstances through which it makes systematic efforts to improve its adoption services as needed. The agency or person uses quality improvement methods such as reviewing complaint data, using client satisfaction surveys, or comparing the agency's or person's practices and performance against the data contained in the Secretary's annual reports to Congress on intercountry adoptions. *22 CFR 96.41(h)*

### **Frank's Complaint Procedure – For Processing Complaints Internally**

#### **Step 1: Dissemination of Grievance and Complaint Policy**

Frank discloses its Complaint Policy to prospective adoptive parents upon initial contact in its Adoption Services Agreement. *See below*. In the event an adoptee or birth parent contacts a Frank staff member with a concern, the staff member in receipt of the concern will provide the concerned individual with the Complaint Policy. *96.41(a)*.

#### **Step 2: Front-line Resolution**

The Frank staff recipient of any concern, that the Frank staff member deems easily resolvable shall make efforts to resolve the concern. Examples of an easily resolvable concern would be that a client desires more communication, the staff member made an error for which s/he should apologize, the client needs additional information, the client is dissatisfied by wait times as a result of the foreign or U.S. government, etc. In these matters the front-line staff member will attempt resolution of the concern. If the concern is more significant than an “easily resolvable concern” the Frank staff member in receipt of the concern will notify Frank’s Executive Director (“ED”).

#### **Step 3: Executive Director Resolution**

Once the Frank staff member shares the concern with their ED, the ED will determine if the concern raises an issue of compliance with the Convention, the IAA, the UAA, or the regulations implementing the IAA or UAA. The ED is responsible for determining whether the matter is a 96.41(b) complaint triggering the Complaint Procedure, or a concern, which would not trigger the Complaint Procedure. *96.41(b)*.

Resolution of concerns - If the concern does not appear to raise an issue of compliance, and the complainant has not alleged that the concern raises an issue with the IAA, the UAA, or the regulations implementing the IAA or UAA, the ED may attempt to resolve the issue directly. The resolution of concern will depend on the concern itself. The ED is responsible for this level of resolution. She will make initial efforts to investigate the concern and understand the issue by contacting the front-line Frank staff member (if applicable), the complainant and/or any other relevant staff members or supervised providers to create and implement a plan for resolution of the concern that does not rise to the level of a 96.41(b) complaint. If the concern is not able to be resolved by the ED, the ED may, at her sole discretion, engage Frank’s Board of Directors in an effort to resolve the concern.

Resolution of complaints - If the matter raises an issue of compliance with the Hague Convention, IAA or UAA, as determined by the ED, she will ensure the complainant has received the Complaint Policy. The

ED may direct a current client to their Adoption Service Agreement or otherwise provide a copy of the Complaint Policy to the complainant. The ED may instruct the complainant to submit the complaint in a signed and dated writing to the ED. The ED may further instruct the complainant to include: (1) a detailed description of the complaint; and (2) desired outcome of the complaint, if the complainant has not done so already. The remainder of this procedure is specific to 96.41(b) complaints only.

#### **Step 4: Executive Director’s Receipt of Written Complaint**

Upon receipt of a written complaint by the ED, the ED will confirm receipt of the complaint to the complainant and advise the complainant that they will receive a response from Frank within thirty (30) days. The ED may inform relevant Frank staff, if applicable, that a complaint has been made. The ED will create an action plan for responding to the complaint which will include an investigation process and a deadline to respond to the complaint within thirty (30) days.

#### **Step 5: Investigation of Complaint**

Frank’s ED will create and implement a plan to investigate the complaint. The plan will be created on a case-by-case basis based on the unique complaint and allegations. Some ways Frank may investigate include, a review of the case file, a review of communication with the complainant, review of communication with any relevant supervised providers, communication with the foreign government or foreign individual or entity, interviews, etc. The ED will be responsible for implementation of the plan and documenting the investigation.

#### **Step 6: Executive Director Resolution in Writing**

Within thirty (30) days of the date that the written complaint is received, Frank’s ED will provide a written decision (“Decision”) to the complainant. The response will be emailed no later than thirty (30) days after the complaint is received. To the extent that the complaint is time sensitive, review may be expedited. The ED will draft a detailed response to the complainant, to include a detailed response to the allegations and a proposed resolution, if applicable. The ED may, at her sole discretion, consult the Board of Directors at this stage in the complaint resolution process. The Decision shall also include instruction on Frank’s internal appeal process, if the complainant is dissatisfied with Frank’s response.

The complainant will be instructed to provide a written Request for Review within fifteen (15) business days of receipt of the Decision is dissatisfied. The Decision shall provide instructions on where to submit such a request. The Decision will further instruct the complainant on how to respond, advising the complainant to include in the Request for Review, the reasons for disagreement with the Decision and the outcome desired by the complainant. The ED shall save the complaint, Decision and any investigatory material in Frank’s files (for submission with the Semi-Annual Complaint Report).

#### **Step 7: Board Resolution in Writing**

If the complainant submits a Request for Review to Frank’s Board of Directors within fifteen (15) business days from the date that the Decision is sent, the Board of Directors will respond within thirty (30) days. The Board will call a meeting to discuss the complaint and consult with Frank staff, and others, as may be needed.

The Board President or their designee will draft the response to the complainant in consultation with Frank’s ED. The Board Decision will be the final agency action. The complainant will be advised that the Board Decision is the final agency action and provided with instruction on how to complain to the Hague

Complaint Registry, including the link to make such a complaint, if still dissatisfied with the resolution. Complaint Registry: [http://adoption.state.gov/hague\\_convention/agency\\_accreditation/complaints.php](http://adoption.state.gov/hague_convention/agency_accreditation/complaints.php)

The ED is responsible for gathering and saving the Board Decision and saving in Frank's files (for submission with the Semi-Annual Complaint Report).

### **Step 8: Record Maintenance & Dissemination to Accrediting Entity**

It is the responsibility of the ED to record and maintain all records related to the complaint. The information contained in the records shall be reported semi-annually in the Semi-Annual Report on Complaints ("SARC") and the full file(s) will be made available upon IAAME's request by Frank's ED. *96.40(d)*.

### **Step 9: Reporting the Complaint**

Frank's ED is responsible for completing the SARC. The ED shall calendar and track the due dates for the SARC report to ensure timely submission and report pursuant to the instructions outlined in [IAAME's Policy 004](#) and in any other manner as requested by the accrediting entity or the Secretary. *22 CFR 96.41(g)*.

It is the responsibility of the ED to respond timely to all complaint-related requests from the accrediting entity or the Department of State. The ED will respond as prescribed by the Secretary and/or accrediting entity and thoroughly answer questions and/or document requests. The ED will document complaint-related communications with the accrediting entity or Secretary in the record.

### **Step 10: Frank's Review of Complaints for Quality Improvement Purposes**

As a part of Frank's Quality Improvement System, it reviews the complaints it receives for quality improvement purposes. All complaints are provided to the Quality Improvement Committee of Frank's Board of Directors for review and implementation of quality improvement efforts. *See Frank's Quality Improvement System below.*

## **Frank's Complaint Procedure – For Complainants to Lodge Complaints**

Complaint Resolution Procedure Frank Adoption Center's Grievance Policy is designed to permit any client the right to lodge a signed and dated complaint about any of the services or activities of this agency or persons involved with this agency that are believed to be inconsistent with state or federal laws and regulations or standards of accreditations that pertain to Frank Adoption Center.

All complaints must be filed in accordance with Hague Convention regulations.

There are two types of grievances: formal and informal:

**Informal Grievance:** Frank Adoption Center urges all clients express their concern to Frank directly before filing a formal grievance. To express concern, please contact the agency's Executive Director and clearly explain the issue. Allow time to talk about the problem, for the agency to seek additional advice if needed, and to work with the agency to form a plan for moving forward in the best way possible for all involved parties.

**Formal Grievance ("Complaint"):** In the event that an informal grievance does not result in a satisfactory solution to the problem, or the client feels an informal discussion is not the best course of action, a formal grievance may be filed. The following steps are to be followed when filing a formal grievance:

1. The person bringing forward the complaint should do so in a signed, dated and written format. The complainant should explain which services or activities provided by Frank (or a supervised provider of Frank) the complainant believes to raise an issue of compliance with the Hague Convention, the Intercountry Adoption Act, the Universal Accreditation Act and any implementing legislation thereof. *96.41(b)*.
2. Written complaints should be submitted to the Executive Director via US Postal Mail or via email. Should the complaint be directly related to the Executive Director, the written complaint should be directed to the Board of Directors' President.
3. The Executive Director, or Board of Directors' President, must respond in writing to complaints received within 30 days of receipt, and provide expedited review of such complaints that are time-sensitive or that involve allegations of fraud. *96.41(c)*.
4. The written response will include the steps taken to investigate and respond to the complaint. *96.41(d)*.
5. All written complaints and responses will be reviewed at the next regularly scheduled Board of Directors' meeting. Frank Adoption Center will not take any action to discourage a client or prospective client from or retaliate against a client or prospective client for: making a complaint; expressing a grievance; providing information in writing or interviews to an accrediting entity on the agency's performance; or questioning the conduct of or expressing an opinion about the performance of Frank Adoption Center. *96.41(e)*.
6. If the complaint concerns or raises an issue of compliance with the Hague Convention or the U.S. implementing statutes and regulations, any consumer dissatisfied with Frank Adoption Center's resolution may file with the Hague Complaint Registry. Contact information and procedures for the internet based Hague Complaint Registry: (any submissions must state with specificity the date and nature of the complaint, including names of persons involved, and be signed and dated): [http://adoption.state.gov/hague\\_convention/agency\\_accreditation/complaints.php](http://adoption.state.gov/hague_convention/agency_accreditation/complaints.php). *96.41(a)*.

### **Frank's Complaint Procedure – For Using Complaints for Quality Improvement**

Frank Adoption Center (“Frank”) has a quality improvement program appropriate to its size and circumstances through which it makes systematic efforts to improve its adoption services as needed. Frank uses quality improvement methods such as reviewing complaint data, using client satisfaction surveys, or comparing Frank's practices and performance against the data contained in the U.S. Department of States annual reports to Congress on intercountry adoptions. *22 CFR 96.41(h)*.

**Ongoing Regular Quality Improvement Efforts:** Frank takes quality improvement seriously. Frank believes that continuous education and improvements based on new information is necessary to provide excellent services to its client families. Frank believes that quality improvement efforts are best when they are ongoing allowing Frank to quickly make changes that will improve the quality of services provided to future children and families. Frank further believes in seeking and providing creative solutions for its organization, clients and the children it serves. As Frank believes in continues improvement and creative problem solving, below is a list of ongoing improvement efforts made by Frank, though the list is not exhaustive.

- Regular Client Communication – Frank’s staff make efforts to ensure that they are in regular, direct, and personal contact with client families. Frank’s staff works to develop a trusting and transparent relationship with all client families. Frank is open to feedback and encourages the sharing of both positive and negative feedback from client family regarding the services provided by Frank. When a client conveys a noteworthy expression of satisfaction, that feedback is shared with Frank’s Executive Director (“ED”). The ED is responsible for quality improvement efforts and for determining what, if anything, should be done to best ensure continued satisfaction. Similarly, when a client expresses noteworthy negative feedback, that information is to be shared with the ED. The ED is responsible for determining what, if anything, should be done to improve satisfaction in that area indicated by the client family.
- Regular FSP Communication – Frank’s staff is in communication with foreign supervised providers (“FSPs”) regularly when serving a mutual client with an active case. Frank communicates with FSPs regarding various issues, including case-specific issues and issues and changes in the country related to intercountry adoption. Frank staff communicates any noteworthy information gained from these communications. The ED will decide whether efforts can or should be made based on the information received to improve the quality of services offered by Frank. Frank’s ED analyzes the issues, plans for, and implements improvement measures on an as-needed, on-going, and case-specific basis.
- Regular Staff Communication – Frank staff are in regular communication with Frank’s ED. The ED is focused on quality improvement in communications with staff and others related to its clients and programs. The ED may determine that quality improvement efforts are necessary based on communications and will be responsible for planning for and implementing quality improvement plans based on staff feedback. Frank’s ED analyzes the issues, plans for, and implements improvement measures on an as-needed, on-going, and case-specific basis.
- Communication with the Adoption Community – Frank’s ED is actively engaged with other leaders in the intercountry adoption community. Frank’s ED is a member of the National Council for Adoption and participates in its active and educational listserv. This listserv is an invaluable resource for sharing information regarding best practices and having questions answered. The ED monitors the communications on this listserv to determine if there are opportunities for quality improvement. If the ED determines that there is an opportunity for improvement that would benefit Frank to pursue, the ED will create a plan for the improvement, implement the plan and monitor the implementation of the plan.
- End of Process Client Surveys – Frank’s ED or her designee will send a survey to each Frank client family at the end of their intercountry adoption process. The information gathered may include, but would not be limited to, overall satisfaction with Frank services, satisfaction with foreign support, and satisfaction with Frank’s communication. Frank’s ED gathers this information and reviews it to determine opportunities for improvement and to implement quality improvement efforts.

- Quality Improvement Committee – Frank’s Board of Directors includes a Quality Improvement Committee who meets quarterly to discuss opportunities for improvement and creates and oversees quality improvement efforts to be made by the ED. The Committee will document improvement efforts in meeting minutes.

**Semi-Annual Quality Improvement Review** – Frank’s ED is responsible for completing and submitting Frank’s Semi-Annual Report on Complaints (“SARC”). Frank’s ED uses this as an opportunity for improvement and will consider whether the complaint warrants any specific quality improvement efforts. If the complaint(s) lead the ED to determine that quality improvement efforts are necessary or desirable because of the complaint, the ED will plan for and implement such quality improvement efforts. *96.41(f)*.

**Annual Quality Improvement Review** – Annually, Frank’s ED reviews the fiscal year report posted by the U.S. Department of State. The purposes of this review is to understand the overall state of intercountry adoption, to compare the number of intercountry adoptions completed in each country by Frank versus nationally, and to compare the fees charged by Frank with the average fees charged among other adoption service providers nationally. This fiscal year report is reviewed by the ED, who will determine if quality improvement efforts should be made, and if so, to create and implement an improvement plan.