**Kentucky Coalition Against Domestic Violence Standards Review Procedure**

**I. Background**

The Kentucky Coalition Against Domestic Violence (KCADV) is committed to providing meaningful access to its services for all persons regardless of:

* language / English proficiency
* age
* immigration status and nationality
* Gender, gender expression
* sexual orientation
* socio-economic status
* Race, ethnicity
* mental health status
* addiction status
* stigmatized heath conditions
* disability status

If there is a complaint regarding services requested, received and/or denied by KCADV’s member programs, KCADV will utilize the following procedures to attempt a resolution. In particular, complaints regarding meaningful access and discrimination will take priority.

While a person can request that their complaint to KCADV be kept anonymous, if they want KCADV to pursue a remedy on their behalf that includes providing a response back to the complainant, the facts of the complaint will need to be discussed with the involved program’s executive official (Director). KCADV may not be able to protect the complainant’s confidentiality in that case.

Definitions

***Complaint:*** A complaint is any oral or written expression of dissatisfaction regarding the services requested, received and/or denied from or by a KCADV member program (Program). KCADV’s MPSS establish guidance and minimum standards for the provision of non-discriminatory and trauma-informed services to survivors and is the basis upon which a complaint might be lodged and also measured. Because all Programs must follow MPSS and because all Programs are given training and technical assistance on its requirements, Programs are empowered to work with their clients to resolve any issue or complaint at the Program level whenever possible. Every Program should have a process to handle such occurrences that includes a provision for the timely expression of a problem and an opportunity to discuss it with the Program’s Director or a designated proxy if the Director is the source of the complaint.

***Grievance:*** A grievance is a formal written complaint that there has been a violation, misinterpretation, misapplication, discriminatory or unreasonable application of a MPSS, policy, procedure, rule, regulation, or state or federal law, that was not handled and/or resolved at the Program level due to one or more of the following circumstances:

* complainant was not satisfied with the attempted resolution from the involved Program.
* complainant had a compelling reason to believe that the involved Program’s process would not work (e.g., fear of retaliation or imminent exit).
* complaint originated from an external stakeholder, another KCADV Program, or an anonymous person.
* the complaint was related to discrimination as defined below.

***Discrimination*** for the purposes of filing a grievance is defined as:

* Limiting participation in a program or activity on the basis of any aspect of identity.
* Subjecting a survivor to an unreasonable delay in services because of any aspect of their identity.
* Failing to inform survivors about their right to access services and reasonable accommodations.
* Providing services that are more limited or lower in scope based on any aspect of identity than those services provided to other persons.

A grievance may be filed with KCADV in accordance with *KCADV’s Grievance Policy for Client Complaints*. Once a complaint becomes a grievance, KCADV will abide by the following procedures.

For sections II – IV, KCADV staff will be assigned to various tasks in the process based on the level of skill and knowledge required to handle the tasks. All staff will have training in MPSS and working with survivor complaints. For instances of discrimination, KCADV’s legal counsel will be consulted.

**II. Procedure for** **Accepting Grievances Based on MPSS from Survivors/Clients**

1. KCADV staff can receive complaints from a person via phone, fax, email, or text. KCADV staff can prepare a written summary of the complaint, as is reported by the complainant over the phone if requested by the complainant.
2. KCADV staff will ask the complainant about the steps taken to discuss the concern first with the involved Program’s staff and/or the Program’s Director, and will document these actions in the summary of the complaint. Based on the particular information received, if the complainant did not follow the involved Program’s internal complaint procedure, KCADV may refer the complainant back to the involved Program. However, if the complainant has a compelling reason to believe that the involved Program’s process would not work (e.g., fear of retaliation or imminent exit), or if they believe they have been subject to discrimination, KCADV staff will move forward with the grievance process, regardless of whether the complainant followed the involved Program’s complaint process or not.
3. Once KCADV accepts the complaint as a grievance, KCADV staff will forward the grievance within 24 hours by email to the Chair of the KCADV Standards Review Committee (SRC).
4. A separate notice will be provided to the involved Program that a grievance has been received and has been forwarded to the SRC Chair.
5. The SRC Chair will have 10 business days (total time from day KCADV staff sent grievance) to contact both the complainant and the involved Program to discuss the grievance and try to reach a resolution. However, if the complainant is to be exited and:
   * has no place to go and will be considered homeless (using the HUD definition of homelessness), or
   * the exit is planned to occur within the following 72 hours, or
   * has children/dependents that will also be exited, or
   * risks harm because the only place they have to go is back home to an abusive partner,

then the SRC Chair, or another member if the Chair is not available, must expedite the grievance, including taking action to address the immediate safety and well-being concerns of the complainant and/or their children. Any member so doing shall notify KCADV, the involved Program, and the other members of the SRC in as timely a manner as possible of the emergency steps taken. Once the emergency situation has been addressed, the SRC Chair shall proceed in attempting to resolve the grievance using the regular process as set out herein. If the involved Program receives HUD funding (ESG, RRH, etc.), the SRC Chair may also need to assess whether the Program has followed its Termination Policy with respect to exiting the complainant.

1. The SRC Chair (or Committee as deemed appropriate by the SRC Chair) may take any action that it believes necessary to investigate/resolve the grievance, up to and including conducting a program audit. If the SRC Chair (or Committee) provides a recommended resolution to the grievance or determines that the grievance is not a violation of MPSS, the SRC Chair will notify both the involved Program and the complainant of the decision and forward a summary of the grievance and the actions and/or recommended resolution to KCADV staff.
2. If the grievance will not have a recommended resolution within 10 business days, the SRC Chair must notify the complainant, the involved Program, and KCADV staff that the grievance is still being reviewed, and provide an estimated time for resolution.
3. Grievances will be entered into Os-Soft by KCADV staff.

**III. Procedure for** **Accepting Grievances Based on MPSS from External Stakeholders and other KCADV Programs**

KCADV staff will review complaints from external stakeholders and other KCADV programs. KCADV as the holder of the CHFS contract will attempt to address the organization’s complaint. If deemed appropriate, KCADV staff may forward the complaint to the SRC for attempted resolution.

1. In such cases, KCADV staff will forward the grievance within 24 hours by email to the SRC Chair.
2. A separate notice will be provided to the involved Program that a grievance has been received and has been forwarded to the SRC Chair.
3. The SRC Chair will have 10 business days (total time from day KCADV staff sent grievance) to contact both the complainant and the involved Program to discuss the grievance and try to reach a resolution.
4. The SRC Chair (or Committee as deemed appropriate by the SRC Chair) may take any action that it believes necessary to investigate/resolve the grievance, up to and including conducting a program audit. If the SRC Chair (or Committee) provides a recommended resolution to the grievance or determines that the grievance is not a violation of MPSS, the SRC Chair will notify both the involved Program and the complainant of the decision and forward a summary of the grievance and the actions and/or recommended resolution to KCADV staff.
5. If the grievance will not have a recommended resolution within 10 business days, the SRC Chair must notify the complainant, the involved Program, and KCADV staff that the grievance is still being reviewed, and provide an estimated time for resolution.
6. Grievances will be entered into Os-Soft by KCADV staff.

**IV. Procedure for Accepting Anonymous Grievances Based on MPSS (grievances that come to KCADV without identification of the complainant)**

1. KCADV staff will forward an anonymous grievance within 24 hours by email to the SRC Chair.
2. In addition, a separate notice will be provided to the involved Program that a grievance has been received and has been forwarded to the SRC Chair.

3) The SRC Chair will have 10 business days (total time from day KCADV staff sent grievance) to determine if the complaint rises to the level of contacting the involved Program. If yes, then the SRC Chair will contact the involved Program to discuss the grievance and determine if any further action needs to be taken. Actions recommended by the SRC Chair (or Committee, as deemed appropriate by the SRC Chair) must be completed satisfactorily before the grievance can be closed. The SRC Chair will notify KCADV staff of any required actions.

4) If the SRC Chair determines the grievance does not rise to the level of contacting the involved Program for discussion, then the SRC Chair will send the involved Program and KCADV staff an email informing them that the grievance has been closed.

5) Grievances will be entered into Os-Soft by KCADV staff.

**V. Standards Review Appeals Process for Programs and Complainants**

1) A *Program* wishing to appeal the decision of the SRC must send a written appeal request to the Executive Committee (EC) within 10 business days of the notice of the SRC’s action or recommendation.

* The EC will review the appeal and render a final decision within 10 business days of receipt of the appeal.
* The EC shall notify the appellant Program of its decision in writing.
* The EC’s decision is final.

2) A *complainant* wishing to appeal the decision of the SRC may send a written appeal request to the KCADV Executive Committee within 10 business days of the SRC’s action or recommendation. The Executive Committee will make a final decision within 10 business days of receipt of the appeal. A complainant that wishes to appeal the final decision of KCADV may appeal to the Commissioner of DCBS within 10 calendar days from receipt of KCADV’s final decision as set out in the Appeals section of the *Grievance Policy for Client Complaints* (MPSS Appendix B).