



Intercountry Adoption Accreditation and Maintenance Entity
Policy and Procedure Manual

Policy Name: Oversight Through Review of Complaints and Reporting

Policy Number: 005

Origination Date: February 7, 2018

Revision Date:

Policy: This policy outlines Intercountry Adoption Accreditation and Maintenance Entity's (IAAME) requirements and process for reviewing complaints related to accredited/approved agencies and persons and intercountry adoption services. IAAME processes complaints in accordance with the regulations set forth in 22 CFR 96.68, 96.69 (a) – (d), 96.71 (a) – (e) and 96.72 (a) – (c).

1. IAAME will review complaints including those received against an accredited agency or approved person, and those regarding the agency or person's utilization of supervised providers, which raise an issue or issues of compliance with the standards for intercountry adoption set forth in the Convention, the IAA, the UAA, and implementing regulations and are relevant to the accrediting entity's oversight.
2. Agencies/persons must respond to all complaints as received, regardless of the format by which the complaint is received, call, email, letter, etc. where such complaints indicate a lack of compliance with the Convention, the IAA, the UAA, or the regulations. In accordance with 22 CFR 96.69 (b) IAAME encourages and supports the need to first resolve intercountry adoption case specific complaints, from parties associated with the case, at the agency or person level when appropriate. Complainants whose concerns should first be addressed by the agency or person will be encouraged to contact the agency or person first to address their concerns. If the complaint is not resolved by the agency or person's complaint process within 30 days, or the agency or person was to have resolved the complaint via an agreement to take action and failed to take the proper action within 30 days, the complaint may then be filed with the Complaint Registry at <https://travel.state.gov/content/travel/en/Intercountry-Adoption/about-adoption->



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[service-providers/hague-complaint-registry.html](https://travel.state.gov/content/travel/en/Intercountry-Adoption/about-adoption-service-providers/hague-complaint-registry.html).

3. Pursuant to 22 CFR 96.69 (c), complaints made by individuals not a party to a specific intercountry adoption case, but who have information about an accredited agency or approved person may provide the information directly to the Complaint Registry at <https://travel.state.gov/content/travel/en/Intercountry-Adoption/about-adoption-service-providers/hague-complaint-registry.html>.
4. Pursuant to 22 CFR 96.69 (d), a Federal, State, or local government official or a foreign Central Authority may file a complaint directly with the Complaint Registry at <https://travel.state.gov/content/travel/en/Intercountry-Adoption/about-adoption-service-providers/hague-complaint-registry.html>. A Federal, State, or local government official or a foreign Central Authority may file a complaint directly with the accrediting entity at www.iaame.net who will enter the complaint into the Complaint Registry. A Federal, State, or local government official or a foreign Central Authority may also file a complaint directly with the Secretary, who will, as appropriate, enter the information into the Complaint Registry and refer it to the accrediting entity for review or take other actions the Secretary deems appropriate.
5. Regardless of the source, IAAME staff review all complaints received and determine the next course of action based on the credibility of the complaint, level of information provided, and the type of concern/complaint received.
6. IAAME considers all complaints to be important. All complaints received are to be processed effectively and efficiently.
7. Agencies/persons and IAAME will treat complainants with respect and dignity. In accordance with 22 CFR 96.41, accredited/approved agencies and persons, supervised providers, and accrediting entities will not take any action to discourage a complaint, retaliate against a complainant, or interfere with a review.
8. Complaints may be submitted to IAAME verbally, in writing or electronically. Complaints can be made, as appropriate, directly to IAAME via email, the www.iaame.net website, mail, phone, and/or through the Complaint Registry at <https://travel.state.gov/content/travel/en/Intercountry-Adoption/about-adoption-service-providers/hague-complaint-registry.html>.
9. A complaint made directly to IAAME is entered by the IAAME Analyst into the



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Complaint Registry. Information regarding the complaint, follow up, and outcome are entered in the Complaint Registry.

10. Properly submitted complaints will be logged, reviewed, addressed, and tracked to resolution/completion by IAAME. The IAAME Analyst enters all complaints, supporting documentation, resolution, and decisions into IAAME's database. Reports from IAAME's database will be generated on a quarterly and annual basis for the purposes of reporting information to the Department and for utilization in monitoring and oversight activities of agency/persons.
11. IAAME Analysts will take reasonable efforts to obtain the identity of a complainant. However, IAAME allows for complaints to be submitted anonymously, but advises complainants that without identification the ability of IAAME to review may be limited and anonymity cannot be guaranteed throughout the complaint process. IAAME Analysts attempt to obtain as much information as possible from the complainant, if known, regarding their concern(s).
12. The IAAME Analyst will contact the complainant, if known, to acknowledge receipt of the complaint and obtain additional information as necessary. The Analyst will generally provide an overview of the complaint process to the complainant, and provide the complainant a projected date by which they will receive information regarding the status or result of the investigation of the complaint. Complainants will be made aware there may be occasions when IAAME is unable to provide the results of an investigation to a complainant due to confidentiality laws, and/or other State and Federal, and foreign authority requirements.
13. IAAME strives to address and respond to complaints as quickly as possible. Complaints requiring in-depth review and analysis may take longer to address; however, IAAME aims to address and respond to each complaint within the shortest time possible. Priority will be given to processing complaints received from a Federal, State, or local government official or a foreign Central Authority, and/or complaints alleging egregious safety and/or overtly fraudulent activity. The IAAME Manager and Analyst will conduct an initial analysis of the issues raised in the complaint to assess and address any immediate child safety issues whenever possible.



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14. Following IAAME's review of the complaint and initial contact with the complainant, the IAAME Analyst will contact, via email or by phone, the accredited/approved agency/person's accreditation/approval contact person and inform them of the complaint. IAAME will work with the agency or person's accreditation/approval contact person to gather the necessary information, schedule interviews/conversations with staff as needed, and determine follow-up actions needed from the agency or person. During this contact, due dates will be set for assigned actions and for delivery of requested information/documentation.
15. Once the IAAME Analyst believes a complaint response is complete, the analyst submits the complaint and all follow-up actions and information obtained to an IAAME Manager for review. The IAAME Manager reviews all information and makes a decision regarding whether additional information is needed, and/or whether the review is ready to be sent to the IAAME Complaint Review Committee (ICRC). If the IAAME Manager determines additional information is needed, the IAAME Manager will work with the IAAME Analyst to gather and obtain the additional information or documentation needed from the agency or person or other resources until the Manager has collected all necessary information for referral to the IAAME Complaint Review Committee.
16. The ICRC will convene and review the original complaint, follow-up actions, and documentation and information received to address the complaint. The ICRC determines whether the complaint is:
 - a. Unfounded – despite efforts to obtain, there is insufficient information provided by the complainant for a review to be conducted.
 - b. Unsubstantiated – the agency/person was not found to have been out of compliance with the standards applicable to the complaint.
 - c. Substantiated – the agency/person was found to be out of compliance with the standards applicable to the complaint. Additionally, an allegation may be considered “substantiated” if the accredited agency or approved person did not provide documentation or information necessary to negate the allegations of the complaint or to demonstrate compliance with the standard(s) applicable to the complaint.
17. When the ICRC determines the allegations in the complaint are substantiated and/or during the review process other significant deficiencies in an agency/person's



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practice are discovered related to compliance with accreditation/approval regulations, the Convention, the UAA, or the IAA, IAAME may impose adverse action.. The IAAME Executive Director will notify the CEO/President of the agency/person in writing of the findings of the complaint review and any decision to impose adverse action, including corrective actions, the ICRC determines is/are needed to correct any deficiencies.

18. All adverse action(s), including corrective actions, are made a part of the ongoing monitoring and oversight process and are followed through to completion. See Policy and Procedure Document 006 for details on adverse actions. Corrective actions that are not completed by the deadline determined by IAAME, or by an IAAME approved extension, constitute a non-response and IAAME may implement additional adverse action as appropriate.
19. IAAME will provide written notification to the complainant, if known, of the outcome of IAAME's complaint review] and any actions taken. Information will also be provided to other individuals or entities providing information for the complaint as appropriate under applicable State and Federal law. Information shared with the complainant will be limited to that which can be legally shared with the complainant.
20. Agencies/persons who have had a complaint filed against them and object to IAAME's findings, may submit a written request for reconsideration to IAAME's Executive Director. The written request and all documentation supporting the agency/person's objection must be submitted to IAAME's Executive Director within five (5) business days of their receipt of the final decision. IAAME's Executive Director will review the written request for reconsideration and all supporting documentation provided by the agency or person and make a determination if further review and/or a change in findings is/are warranted. IAAME's Executive Director makes all final decisions in such circumstances and reports his/her decision to the agency/person's CEO/President.
21. Information regarding complaints and the outcome of complaints is utilized in the decision-making process for accreditation/approval and/or renewal of accreditation/approval of an agency/person.
22. The IAAME Executive Director will, in accordance with 22 CFR 96.72, promptly notify the Secretary of any substantiated complaint that:



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- a. Demonstrates an accredited agency or approved person has engaged in a pattern of serious willful, grossly negligent, or repeated failures to comply with the standards in 22 CFR 96 subpart F;
 - b. Indicates that continued accreditation/approval would not be in the best interests of children and families concerned.
23. The IAAME Executive Director will, after consultation with the Department, refer, as appropriate to a State licensing authority, the Attorney General, or other law enforcement authorities any substantiated complaints that involve conduct that is:
- a. Subject to the civil or criminal penalties imposed by section 404 of the IAA
 - b. In violation of the Immigration and Nationality Act
 - c. Otherwise in violation of Federal, State, or local law
24. Public requests for information related to a complaint will be processed by IAAME management. IAAME will only release information in accordance with applicable State and Federal law, including the regulations in 22 CFR Part 96.