

## **I. Complaint Policy and Procedure**

We anticipate a smooth working relationship with you. However, occasional misunderstandings may arise. If they do, we strongly encourage you to give us a call so that we can address your concerns. If you are not satisfied with our response, you have the right to launch the complaint process. Adoption ARK's amended complaint policy and procedure does not establish any barriers for you to file a complaint. Adoption ARK does not retaliate in any way for reported grievances or complaints. It is our desire to work through any differences that may arise and move forward in our relationship with our clients.

A copy of Adoption ARK's Complaint Procedure is located in the initial information sent to all prospective clients, is located on our website at <http://www.adoptionark.org/public/pag11.aspx>, and is part of the adoption agreement entered into by Adoptive Parents and Adoption ARK. It is required that the Policies and Procedures of Adoption ARK, which contains the full complaint procedure, must be signed by all Adoptive Parents entering into an adoption agreement with Adoption ARK.

### **Complaint Policy Overview**

1. It is the policy of Adoption ARK to comply with, and to require its employees to comply with, the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption (hereafter the Hague Convention), the 2006 Intercountry Adoption Act (the IAA), the state law, Adoption ARK regulations and other applicable legal and regulatory requirements relating to filing, addressing, investigating, and resolving complaints in regards to Adoption ARK adoption services.
2. Adoption ARK supports the principle that all customer complaints should be viewed and taken positively.
3. Adoption ARK ensures that all complaints will be treated seriously and dealt properly with an emphasis on the honest and thorough process of consideration, with the prime aim of satisfying the concerns of the complainant.
4. All written complaints that are received will be registered within 2 days and a response provided within 10 days. If an additional time for investigation and response will be required, the interim report expressing what findings were made and request of an additional time for investigation should be provided to the complainant. Please note: You will be notified that your complaint was received. If you do not receive notification that your complaint was received please call the office at (847) 215-2755.
5. Adoption ARK has an established mechanism for responding to and keeping a record of those complaints and findings of investigation.
6. In cases that involve allegations of fraud or time-sensitive issues Adoption ARK is obliged to provide expedited review of such complaints.
7. An allegation of any employee, supervised provider, or board member suspected of child selling will be given immediate consideration.
8. Adoption ARK guarantees that all records, information, organizational reports and summaries regarding received complaints will be available for the accrediting entity or other governmental authorities upon their request.
9. Adoption ARK pursues a no discouragement/no retaliation policy meaning that Adoption ARK employees and board members are prohibited from discouraging clients from filing a complaint and may not retaliate against a client or prospective client who filed such a complaint.
10. Anonymous complaints cannot be given consideration.
11. Adoption ARK believes that complaints can be a way to learn where and how the adoption service can be improved. Therefore, Adoption ARK develops and implements its own adoption services quality improvement program based on qualitative and quantitative analysis of Adoption ARK actions and performances.
12. Present complaint policy provisions are open to the public and available in electronic and hard copy versions. It is necessary for all Adoption ARK clients to be familiarized with these provisions before

signing the contract with the agency. Adoption ARK can also provide a copy of the complaint procedure in Spanish.

13. The website of Council Of Accreditation (COA) is <http://www.coastandards.org>. The website of Illinois Department of Child and Family Services is <http://www.state.il.us/dcf/index.shtml>. Adoption ARK includes links to the Council Of Accreditation (COA) and Illinois Department of Child and Family Services (DCFS) on the Adoption ARK website at <http://www.adoptionark.org/public/pag11.aspx>.

## **Complaint Procedures**

Adoption ARK hereby establishes the following procedures:

- (I) Identification of a complaint
- (II) Addressing the complaint
- (III) Retention of complaints received by the agency

Complaint procedures are written in accordance with the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, the 2006 Intercountry Adoption Act, and Illinois State Law.

### **I. Identification of the complaint**

1. What is considered to be “a complaint”?  
A complaint is a verbal or written expression of dissatisfaction about any aspect of the adoption services of Adoption ARK. A complaint becomes a formal investigation upon receiving a signed and dated expression of dissatisfaction according to the guidelines contained herein.
2. Who has the right to complain?  
Any direct or indirect client of Adoption ARK including but not limited to birth parents, prospective adoptive parents, adoptive parents and adoptee have a right to bring a complaint about any issues of Adoption ARK compliance with state law, the Hague convention, the IAA, or regulations of implementing IAA.
  - a) A complaint can be filed on behalf of birth parents, prospective adoptive parents, adoptive parents, adoptee or any other client of Adoption ARK by their legal representative(s) after providing evidences that such representations is in compliance with law.
3. What is the form of the complaint?  
A formal complaint should be in writing, signed, and dated. It is suggested that a complainant use the form that follows the Policies and Procedures. This form can also be found at <http://www.adoptionark.org/public/pag11.aspx>.
4. What information is to be provided in a complaint?
  - a) All the facts on which the complaint is based should be explained; if it is necessary, the complaint should be in chronological order.
  - b) A complaint should be as detailed as possible and contains all information relevant to the case. For example, to substantiate a complaint the following information can be included: a description of alleged violation(s), date of violation, place, and if possible, the provisions of the Hague Convention (or other related legal documents) that were allegedly violated.
  - c) The complainant’s full name, present address, mailing address, and fax/phone must be provided.
  - d) In addition, all documents (copies) of relevance to the complaint can be supplied.
5. At what point can a formal complaint be filed?  
A complaint can be filed at any time.
6. Where does a complainant send a written complaint?  
Adoption ARK encourages complainants to use a traceable mail service to file a complaint. Complaints received by fax and email will be accepted but, to insure the complaint is authentic, must

be signed and dated. Please note: You will be notified that your complaint was received. If you do not receive notification that your complaint was received please call the office at (847) 215-2755.

Please use the address below when mailing a complaint:

Adoption ARK  
830 S. Buffalo Grove Road #103  
Buffalo Grove, IL 60089  
Email: adopt@adoptionark.org  
Fax: (925) 299-2010

## **II. Addressing the complaint**

1. The CEO of Adoption ARK will initiate investigation of written complaint within two (2) business days of receipt of written complaint.
2. The investigation of a complaint is to be finalized within ten (10) business days after complaint is received. The investigation includes:
  - a. Thorough consideration of the complaint, all circumstances connected to complaint, hearing of the evidences of sides of conflict situation, witnesses if there were any, evaluation of the circumstances of the case, and character of the violation(s) in accordance with the Convention, the IAA and other acting laws.
  - b. A complaint investigator will interview all parties involved in the complaint.
  - c. All parties have the opportunity to suggest remediation.
  - d. Within 10 working days of receiving a complaint, the investigator will prepare a written decision summarizing the facts and issues involved and determine their findings based on these issues. The decision will be sent to the applicant, his/her representative (if any), and the Department of Child and Family Services (DCFS) in Illinois. If extenuating circumstances exist which require additional time for resolution, an interim report shall still be provided to the complaining party and to DCFS at the ten (10) day point. The interim report shall include the reason for the delay and an estimated date of completion of the investigation and response. The interim report to DCFS shall include a copy of the written complaint. A final report shall be provided at the conclusion of the investigation
  - e. If a director or CEO of the agency is involved in the complaint or is the adoption parent coordinator, the review of complaint investigation will be done by the Board of Directors of the agency.
  - f. In the case of urgency, sensitivity of the case, or alleged fraud, Adoption ARK provides expedited review of complaints. The matter of urgency and/or sensitivity is determined by Adoption ARK's CEO, or, if applicable, the Adoption ARK board of directors.
  - g. The findings and resolution of the complaint is sent to the applicant and his/her representative (if any) by email, fax, USPS mail, or certified mail, immediately after conclusion.
  - h. The resolutions of all complaints shall be reported to Adoption ARK's Board of Directors and will include copies of the written complaint and the agency's written response. The reports of complaint resolutions that are made to Boards of Directors will be reflected in the minutes of the meetings.
  - i. Adoption ARK will advise the clients about other procedures available to them in case they are dissatisfied with the decision of the agency. Complainants can file complaints to COA, <http://www.coastandards.org> and DCSF <http://www.state.il.us/dcfs/index.shtml>
  - j. Adoption ARK will provide access to the information (when it is available in accordance with retention of complaints rules) regarding a complaint in case the complainant would attempt further actions to get satisfaction beyond procedures of Adoption ARK agency.

## **III. Retention of complaints**

1. The record of the complaint is filed in the Complaint Records folder.
2. The term of keeping a complaint record is five years.

3. The responsibility of managing the Complaint Records folder is upon employees of Adoption ARK Headquarters in Buffalo Grove, IL.
4. The staff of Adoption ARK ensures that personal data gathered or transmitted in connection with an adoption is used only for the purposes for which the information was gathered and safeguards sensitive individual information.

**Illinois Adoption Agency Information and Complaint Registry**

The State of Illinois Adoption Agency Information and Complaint Registry serves to assist the public in the monitoring of licensed child welfare agencies. You may access information concerning the past history and records of any licensed child welfare agency providing adoption services in Illinois through the DCFS registry's toll-free telephone number (1-866-730-5110). Information shall also be available on the DCFS website, <http://www.state.il.us/dcf/index.shtml>.

**Prohibition on Child Buying:**

Adoption ARK prohibits its employees and agents from giving money or other consideration, directly or indirectly, to a child's parent(s), other individual(s), or an entity as payment for the child or as an inducement to release the child. Adoption ARK remits reasonable payments for activities related to the adoption proceedings, pre-birth medical costs, the care of the child, the care of the birth mother while pregnant and immediately following birth of the child, or the provision of child welfare and child protection services generally.

**Statement of Non-Discrimination**

Adoption ARK does not discriminate on the basis of race, religion, marital status, ethnicity, gender or sexual orientation.

**Preferential Treatment**

Adoption ARK does not give preferential treatment to its board members, contributors, volunteers, employees, agents, consultants, or independent contractors with respect to the placement of children for adoption.

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Mother's Name \_\_\_\_\_ Date \_\_\_\_\_

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Father's Name \_\_\_\_\_ Date \_\_\_\_\_