

Policy Statement

Te Marae Ora Ministry of Health Cook Islands (TMO) is committed to providing safe, transparent and accountable system for managing incidents and grievances. This mechanism ensures that all incident and grievance are documented, investigated and resolved fairly, fostering a culture of safety, learning and continuous improvement.

Purpose

To establish a clear, accessible, unified, transparent and structured mechanism for raising concerns, complaints or issues related to incidents and grievances. This mechanism ensures that all incidents and grievances related to TMO personnel services and operations are addressed promptly through a process of reporting, investigating and resolving incidents and grievances.

Scope

This policy applies to:

- All TMO personnel (e.g., visiting health specialists, interns, locums, volunteers, contract for services, etc.) and stakeholders. (e.g., communities, patients and other stakeholders or partners, etc.).
- All TMO-related activities or projects conducted on-site, off-site or online during the performance of official duties.
- All submission or reports of incidents or grievances raised by TMO personnel toward stakeholders recognising TMO personnel's right to report.

Exclusion: Personal matters indirectly and unrelated to TMO operations and services, unless they pose a risk to TMO's reputation, safety or legal compliance.

Principles

- **Ensure confidentiality and protection**
Protects the identity, rights of those reporting and ensures that information is managed confidentially and appropriately. Encourage reporting without fear of retribution or stigma.
- **Maintain fairness and transparency**
Processes are impartial, timely and accessible to anyone.
- **Promote safety and quality of care**
Reporting should prioritise patient safety, quality of care and individual welfare.
- **Foster a culture of learning**
Use the reports to inform policy, training, and system and operational improvements. Foster a culture of learning rather than blame.
- **Provide inclusive and accessible mechanisms**
Reporting channels accessible to all stakeholders, including vulnerable groups by providing multiple avenues for reporting (e.g., online or in-person).

Alignment to Legislation, Regulations and Policies

- Public Service Act 2009 including its Amendments
- Ministry of Health Act 2013
- Ministry of Health (International Health Regulation Compliance) Regulation 2014
- Public Health Act 2024
- Employment Relations Act 2012 and other related legislations and regulations
- Crimes Act 1969 including its amendments
- International Health Regulations (IHR) 2005 for public health event notification
- CIGOV Code of Conduct Policy
- CIGOV Occupational Safety and Health Policy
- Cook Island Security Guidelines
- TMO Human Resource (HR) Personnel Policies and Procedures

Definitions

Complainant – an individual or group who raises incident or grievance.

Corrective Action – action to remove the cause of a detected nonconformity.

Emergency - an actual or imminent event that endangers or threatens life, property or the environment and which requires a significant coordinated response¹.

Fishbone – identifies possible causes for an effect or problem².

Grievance – a concern, issue(s) or complaint(s) raised by an individual or group affected by an activity, project or operations, stemming from real or perceived impacts³.

Near miss –also known as a close call. They are incidents that occur without any resultant injury, which, under different circumstances, may have resulted on harm, damage or loss.

Incident – an event that results, or could have resulted, in harm to a worker or any other person on the workplace, as a result of activities in the workplace, and includes an accident or near-miss event.⁴

Preventive Action – action to remove the cause of a potential nonconformity.

Serious incident – such as death of a person, injury or illness that requires immediate treatment or dangerous incident such as explosion, uncontrolled chemical spills, etc.

Respondent – individual(s) whose actions or decisions are the subject of grievance or investigation.

Retaliation – refers to any detrimental act, direct or indirect, recommended, threatened or actually taken against any person involved in the submission, processing or investigation of a complaint⁵.

¹ <https://emci.gov.ck/wp-content/uploads/2024/02/Cook-Islands-National-Disaster-Risk-Management-Plan-2017-Fine-Final-Draft.pdf>

² https://asq.org/quality-resources/fishbone?rsrid=AfmBOoqRopK-bazp4_LFpjPqljxnkVI_atSUIJ-ARht6tEJpQ5SV2Jcl

³ https://www.scirp.org/pdf/jss_2023103014004753.pdf

⁴ As defined in the Cook Islands Workplace Health and Safety Bill

⁵ https://irm.greenclimate.fund/sites/default/files/document/module-8-public-version-amended-january-2021_0.pdf

Risk – refers to the probability or threat of damage, injury, liability, loss, or any other negative occurrence caused by external vulnerabilities, which may be avoided through pre-emptive action⁶.

Reporting Channels

Incident or grievance reports may be submitted through any of the following:

- **Primary channel (preferred):** Use the secure reporting platform available on the TMO website via this link <https://forms.health.gov.ck/253516971237058>.
- **Secondary channel:** Alternatively, download the necessary form at [Incident and Grievance Form - Te Marae Ora Cook Islands Ministry of Health](#) and submit via email to tmo.helpdesk@cookislands.gov.ck or submit form physically to a Supervisor, Manager or Human Resources (HR).
- **Emergency:** call emergency services at 999 for immediate danger, then file a report using the channels above.

Policy Requirements

As some incidents or grievances may arise unintentionally, the first step is to attempt a private discussion (preferably closed-door) whether either formal or informal with the involved person. Both parties should ensure that this conversation takes place in a safe environment, where no one has the opportunity to judge or be judged by anyone outside of those directly involved. This process should be addressed directly between the complainant, those involved, and the supervisor/manager and Director.

If a repeated event or behaviour occurs, communicate the matter clearly with the involved person. This may result in it being reported to a Supervisor, Manager, those in charge of providing the services or the designated personnel in TMO especially for matters involving external individuals or stakeholders, with opportunity to provide a support person. Failing to reach a desired mutual outcome, the following procedures should be followed.

1. What to Report

- Incidents such as, but not limited to injuries, near-misses, unsafe conditions, security breaches, data or privacy incidents, property damage, environmental releases or spills, service outages, violence or threats, property loss, theft, misuse of funds or fraud.
- Grievances such as, but not limited to, discrimination, harassment, bullying, retaliation, unfair treatment, sexual exploitation, scheduling, discipline disputes, policy violations, ethical concerns, quality of service, delays or misconduct.
 - Complete an Incident and Grievance Form⁷
 - Details that will be required to complete the form:
 - Date and time of the incident or grievance

⁶ As defined in the CIGOV Occupation Safety and Health Policy 2016

⁷ Form will be available through Jotform uploaded on TMO website.

- Location
- Parties involved
- Witnesses
- Type of incident or grievance
- Description of what happened
- Evidence
- Impact of incident or grievance
- Proposed desired outcome
- Cultural or privacy considerations
- Any immediate risks

2. Where to access the Incidents and Grievance Form

The form can be accessed by using one of the approved reporting channels listed above.

3. When to Lodge a Report

A formal report must be lodged immediately, ideally within 24 hours or as soon as practicable after no desired resolution has been achieved following an initial discussion. Serious incidents or serious misconduct must be reported immediately through the formal channels, bypassing the initial informal discussion. For detailed definitions of what constitute a serious incidents or serious misconduct, please refer to the latest TMO HR Personnel Policies and Procedures.

4. How to report

- Submit the incident and grievance reports using the approved reporting channels listed above.
- The reporting channels ensure the confidentiality of all the incident or grievance reports received.
- All documents must be kept in a safe and secured storage whether physical storage or on a servers accessible to authorised personnel only.

Roles and Responsibilities

Human Resource Department

- Holds overall accountability for policy compliance and governance
- Coordinates investigations and remediation actions
- Manage confidential data
- Handles disciplinary actions when applicable
- Lead root cause analysis for high/extreme risk incidents or grievances
- Oversee preventative actions
- Ensures timely reporting and closure of investigation
- Keeps records and maintains register.

Personnel/Stakeholders

- Reports incident or grievance promptly using the approved process

- Cooperates with the investigations
- Upholds the privacy and confidentiality of information

Supervisor/ Manager

- Provides immediate safety actions
- Acknowledge, triage (assessment), investigate and escalate high risks to respective Director.
- Ensures procedures are being followed
- Ensures timely reporting and closure of investigation
- Maintains confidentiality and impartiality
- Ensure outcomes are communicated and implemented.

Director

- Approves and accepts the recommendation from the Supervisor/Manager
- Ensures procedures are being followed
- Ensures timely reporting and closure of investigation
- Maintains confidentiality and impartiality
- Leads the communication and implementation of outcomes
- For high risk cases, conducts investigation with support from Supervisor/ Manager and provides report to Secretary of Health (SOH) on the final outcome. HR involvement is required.
- Provides objective review of unresolved cases or appeals or independent review by external reviewer or investigator, if applicable.

Legal

- Advise on legal risks, mandatory reporting or regulatory notifications, if applicable.

Policy Team

- Provides drafting support to HR for policy improvements.

Data Handling

- Access to personal data stored in the repository is restricted to authorised personnel only.
- A formal request to access information will be shared strictly on a need-to-know basis upon approval from the SOH.
- Retaliation against any person who makes a report in **good faith** is discouraged and may result in disciplinary action or legal actions, if warranted.
- Release of any information to the media or other parties outside TMO relating to incidents or grievances is strictly prohibited. Information can only be released by the SOH. Failure to do so may result to disciplinary action.
- Incidents or grievances are highly sensitive as it involves personal information and may have life-threatening implications; such information remain strictly confidential to

- protect privacy, uphold professional standards, and maintain the integrity of the reporting process.
- Reports and related documents will be retained in accordance with policy and access will be restricted to designated personnel.

Monitoring and Reporting

- HR Department shall maintain a register for all incidents and grievances.
- The policy's effectiveness will be measured using the following indicators:
 - Number of incident and grievance received and responded within the specified time.
 - Number of interventions or improvements that have been implemented, as applicable.
- The HR Department will prepare a summary report quarterly and annually (appropriately during annual performance or business plan submission) or as needed, to evaluate the effectiveness and compliance of this policy.

Review and Update

This policy will be reviewed every 3 years from effective date or as needed. Ad hoc revisions will be made possible in response to major incident or grievance to ensure it remains effective and compliant with evolving regulations, policies and processes.

Authorisation

The implementation of this policy is authorised by TMO Executive per approved Resolution No. 2026 -001 and will be effective from **5 January 2026**.

Other Provisions (if any)

- All printed records related to this policy must be retained for at least seven (7) years and are accessible only to authorised personnel. Unauthorised access or tampering will result in disciplinary action.
- This policy supersedes the Incident Reporting Policy and Procedure 2010 and is extended to include a grievance mechanism.

Associated Documents

Standard Operating Procedures on Incident and Grievance Resolution Process

Other Information

For queries, contact the Planning and Funding Directorate in Tupapa at 29664.