QUAKER SERVICE AUSTRALIA

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Policy Statements on
Grievances, Complaint handling and dispute resolution
Reporting Child Safeguarding incident to QSA
Whistle Blower protection

1. Grievances, complaint handling and dispute resolution
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GRIEVANCE HANDLING, COMPLAINTS, AND DISPUTE RESOLUTION

DEFINITIONS

Complaint – an expression of dissatisfaction made to QSA, related to its projects or services, or the complaint handling process itself, where a response or resolution is explicitly or implicitly expected.
Complainant – a person, organisation or its representative making a complaint
Downstream partner is a supplier, individual or organisation engaged by a project or donor partner to perform specific tasks, training or business.

Feedback – opinions, comments, suggestions and expressions of interest in the products or the complaint handling process.
Grievance - refers to any type of concern, dispute or issue that a person may have about QSA processes.
Harassment - harassment is any form of behaviour that is not wanted or is unreasonable, that offends, humiliates or intimidates another individual or group, creates a hostile environment and which relates to any of the following aspects of the person being harassed:
sex; pregnancy; race, ethnicity or nationality; skin colour; marital status; disability; age; carers' responsibilities; homosexuality; transgender status.
Natural Justice – This, also known as procedural fairness, means operating without bias, and satisfying this will be for the decision maker(s) to
Give the complainant a fair hearing and the opportunity to present their case (and similarly apply this principle to a respondent);
Be disinterested and / or unbiased in the matter to be decided;
To make the decision based on logical evidence (proven on the balance of probabilities – that is, the alleged behaviour is more likely to have occurred than not and will vary according to the specific circumstances).

Stakeholder or interested party – a person or group, having an interest in the performance or success of the organisation; under this policy key stakeholders and members of the public can make a complaint.

GRIEVANCE HANDLING, COMPLAINTS, AND DISPUTE RESOLUTION Policy Statement

The QSA Management Committee is responsible for hearing and resolving grievances, complaints, and disputes which may arise. This policy provides a fair and transparent framework for the airing and resolution of grievances, complaints and disputes and to undertake proceedings in a timely

manner. The Management Committee has developed this policy and procedure to ensure that any grievance felt, complaint made, or dispute arising is dealt with in a timely manner and in accordance with the principles of natural justice, and consistent with the QSA Pastoral Care approach. The MC, in accordance with its principles and values, is committed to achieving the highest standard it can in every area of its work. The MC recognises that good complaint management is a key way of learning what needs to be done to improve our work.

The MC's policy is to maintain a harmonious working environment which is free from harassment or bullying for staff, volunteers, project partners, and all people who have dealings with the organisation. Any of our stakeholders can make a complaint including: members of staff, our project partners and project participants, volunteers, donors, contractor or suppliers and all people who have dealings with the organisation, including members of the public. Project participants can make a complaint about project partners or QSA in the way projects are managed or delivered, acknowledging the power relations between our stakeholders. Complaints can also be made anonymously however reporting verification and action taken cannot be made. No person making a complaint is to be sanctioned as a result of doing so, in line with QSA's Whistle Blower policy statement.

The criteria for a complaint, in implementing the Grievance Handling, Complaints, and Dispute Resolution are as follows:- alleged breach of any of QSA's policies; decision made by QSA / project partner regarding project location, participation and selection criteria, activities or resources supplied.

In implementing the policy, the MC will ensure that privacy of all affected people is respected and confidentiality is observed so that, except where required by law or contractual obligation, the only people involved in making or investigating a grievance or complaint or dispute have access to relevant information about it.

The policy takes account of the rights of all concerned in resolving complaints, grievances and disputes by open communication, in a manner consistent with cooperative work practices and in sympathy with Quaker teachings and ideals. The management of complaints is to be as close to the source as possible, for example, a complaint against an activity by a Project Partner would be handled in-country by the Project Manager.

The MC will address all complaints received in an equitable, fair, confidential and unbiased manner using evidence submitted by both the complainant and other involved persons through the complaint handling process. The complaint may be covering a range of issues, which may or may not be addressed separately. It may include an issue of how the complainant was treated by another person, or be more relating to access to a project activity, project resources or process.

The complainant is to be advised of the ability to make a complaint directly to the Australian Council of International Development's Code of Conduct Committee regarding an alleged breach of the ACFID Code of Conduct, to which QSA is a signatory.

QSA will ensure this policy and procedures will be as accessible as possible. This includes placing it on the QSA website, providing a simplified and diagrammatic version in appropriate languages for the project partners and participants to understand and easily use when required.

PROCEDURES

COMPLAINT PROCESS

Any staff member, volunteer, member of the QSA MC or anyone who has dealings with QSA can make a complaint. This includes project partners who rely on QSA for funding (or part funding) of a project, project beneficiaries and communities where projects are being undertaken. It may also be that a member of the public, donor organisation or stakeholder would wish to use this policy and procedures to make a complaint even though they do not have direct contact or dealings with QSA. Such a complaint would preferably be made recently to the issue to which it relates. This enables management of complaints to be most effective and reduce harm to the individuals and organisations affected.

The complaint can be about any aspect of the organisation which may include, amongst other things:

i. Work practices such as changes in technology, work processes or location and work health and safety issues
ii. Perceived harassment, intimidation, bullying or victimisation
iii. Treatment by staff, QSA Management Committee or volunteers;
iv. Workplace communication or interpersonal conflict;
v. Poor quality of service; and
vi. An alleged breach of the Code of ACFID Code of Conduct, in which case the Code of Conduct Committee can be conducted at Private Bag 3, Deakin ACT 2600, or http://www.acfid.asn.au/code-of-conduct/complaints.
vii. Or any breaches of general law as identified in the Whistle Blower policy statement.

1. PROCEDURAL PRINCIPLES FOR THE COMPLAINTS MANAGEMENT PROCESS

i. In relationship situations where discomfort or irritation is experienced we are all encouraged to voice the matter to the person or persons concerned as soon as possible in order to avoid this becoming an area of conflict in the future. Ideally this would be as soon as possible, before thinking and feelings have become entrenched, however power imbalances, perceived or otherwise, between the individuals may make this difficult.
ii. In all our dealings with others we should 'speak truth in love' consistent with Quaker teachings and Testimonies. Honesty, respect and integrity are to be exercised by all parties involved.
iii. As a measure of respect for all people involved we expect confidentiality in all areas of the matter under discussion, unless a significant risk to any party is imminent or where reporting to external parties is required by law or contractual obligation.
iv. The intentions of this complaints management process is to work cooperatively and positively to resolve conflict leading to a healthy working environment, and to enable the continual improvement of QSA's complaint handling process and quality of its service.
v. Everything possible should be done to ensure that all parties feel safe and supported throughout the entire process, and that the complaint mechanism be as independent as possible, at the very least, is independent from the subject of the complaint.
vi. On-going support should be made available to all parties as long as is necessary.

vii. Where reporting to external parties is required by law or contractual obligation, this will be completed as required in a timely manner. This could also include Workers Compensation and Public Liability insurers.

2. CONTACT PERSON FOR ANY COMPLAINT

The MC has appointed the Convenor as the contact person for receiving complaints, and contact details for that person will be publicised on QSA's website. (QSA Convenor, Unit 14, 43-53 Bridge Road, Stanmore NSW 2048 or convenor@qsa.org.au or +612 8054 0400).

If the complaint is in regards to the current Convenor of the QSA Management Committee or the Management Committee as a whole, any investigation will be conducted by the immediate past Convenor who will fulfil the steps of this policy statement and procedures and report to the contact person (Past Convenor of the QSA Management Committee, Unit 14, 43-53 Bridge Road, Stanmore NSW 2048).

In the case of overseas projects, the project manager in country, or a member of the project partner staff in country with whom the complainant feels comfortable discussing the issue will become the contact person initially. The contact person will be supported by, and report to the QSA Project Manager who will work with the country partner to fulfil the steps of this policy.

It is important that the person hearing the complaint listens attentively and respectfully, and is able to repeat their understanding of the nature of the complaint back to the complainant accurately before writing a report of the complaint. Equally, it is important on hearing the complaint not to become defensive, argue with the complainant, be dismissive or blame others, or make promises they are not able to keep.

3. LODGING A COMPLAINT, AND INITIATING THE COMPLAINT MANAGEMENT PROCESS

I. QSA's first preference is for the individual concerned to raise any issues directly with the people with whom there is any difficulty as soon as possible.

II. Complaints may be made by phone and by any written means, either by the complainant or someone acting on their behalf, or anonymously via the use of mail or a complaint box, be in the local language, or by indicating options on a pictorial complaint form.

III. All complaints received will be treated seriously, in a way that is fair, confidential, unbiased and in keeping with Quaker principles.

IV. For all complaints received, the contact person will:

a. make an initial record of the details of the complaint;

b. make an initial assessment as to whether it is valid or not, using the criteria against what constitutes a complaint, of the severity of the complaint and the urgency of action;

c. seek from the complainant the outcome they are expecting;

d. clearly explain to the complainant the course of action that will follow if the complaint is within the jurisdiction of QSA, and if preliminary enquiries need to be made, or if further consideration needs to be given;

e. clearly explain to the complainant the course of action that will follow if the complaint is found not to be within the jurisdiction of QSA, or if QSA exercises its discretion not to investigate;

f. give an estimated timeframe or date by which the contact person will communicate with the complainant about the complaint;

g. check whether the complainant is satisfied with the proposed action, or if not, advise them of alternative places to lodge their complaint, such as via the Australian Council for International Development's Code of Conduct Committee (the peak body of development agencies in Australia to which QSA is a member and signatory to its Code of Conduct) especially if they feel the Code of Conduct has been breached (http://www.acfid.asn.au/code-of-conduct/complaints or by mail to Private Bag 3, Deakin ACT 2600) and / or the Anti Discrimination Board of New South Wales (http://www.antidiscrimination.lawlink.nsw.gov.au/adb/adb1_makingacomplaint.html) or the Australia Human Rights Commission (https://www.humanrights.gov.au/complaints-information) .

h. register the complaint in an internal register.

V. QSA will ensure that a complainant is not required to express their complaint to a person implicated in their complaint unless they choose to do so initially, and that a person implicated in a complaint is not involved in handling the inquiry regarding the complaint.

VI. The criteria for a complaint, in implementation of the Grievance Handling, Complaints and Dispute Resolution, are as follows:-

a. Topic – alleged breach of QSA's policy; decision made by QSA / project partner regarding project participation, activities or resources supplied. Complaints do not have to be against outcomes, they can also arise against practice (non-compliance, corruption etc.) and policies (such as decisions taken which will have a negative impact on its stakeholders).

b. Complainant – staff member, company member, project partner organisation staff member, project participant, volunteer, donor, contractor, or supplier, person who has dealing with QSA, member of the public or anonymous.

c. All complaints must be assessed as to whether they are valid or not. They are assessed against the criteria listed above, and the decision on acceptance or rejection of a complaint must be transparent and communicated clearly to the complainant.

4. MANAGING COMPLAINTS

I. Complaints related to criminal matters must be referred directly to the police and will not be assessed by QSA.

II. Providing the complaint is within QSA's jurisdiction (outlined below) QSA will make every reasonable effort to investigate all of the relevant circumstances and information surrounding a complaint.

III. In addressing a complaint, the contact person will assess it under the following criteria – severity; work health and safety implications; financial implications for the complainant and others; complexity; impact on the individual, the public or the organisation; its potential to

escalate; and the need for, and possibility of immediate action. If a complaint is assessed as meeting one or more of these criteria, it will be classified accordingly in the **internal register**, and the level of investigation of all relevant circumstances and information surrounding the complaint will be commensurate with the seriousness of the complaint.

IV. In communications with the complainant or their representative, the contact person handling the complaint will keep good written records of the information provided orally, not create false expectations or make promises they are not necessarily empowered to keep.

V. QSA will work quickly to acknowledge and investigate complaints. The time length of the response may vary due to factors such as the location of the complaint, the ability to establish clear communications (particularly in overseas cases).

VI. It may also be appropriate to inform QSA's Worker's Compensation and Public Liability insurers.

VII. The person being complained about is to be informed of the nature of the complaint as soon as possible but no later than 14 days, and given the opportunity to prepare a written statement about the complaint.

VIII. Given the nature of some complaints, it may be necessary to review the working arrangements of the complainants to ensure their safety. This is assessed on a case by case basis as part of the on-going assessment of the complaint.

IX. Updating the complainant of the progress of the investigations and providing feedback is to be conducted in a timely manner.

5. COMPLAINT RESULTS

I. Provided the complaint was not made anonymously, the decision made as a result of the investigation will be communicated to the complainant by the contact person handling the complaint as soon as possible, either by email, mail or orally, and in whatever language is most appropriate for the complainant. The complainant will always be offered a written decision.

II. If the result of the investigation or if the complainant feels the complaint has not been addressed or resolved adequately, the complainant is to be advised by the contact person of the potential for the complaint to be reviewed by QSA if further information can be provided, or referred to the Code of Conduct Committee of the Australian Council for International Development (http://www.acfid.asn.au/code-of-conduct/complaints, ACFID Code of Conduct Committee, Private Bag 3, Deakin ACT 2600) the Anti Discrimination Board of New South Wales (http://www.antidiscrimination.lawlink.nsw.gov.au/adb/adb1_makingacomplaint.html) or the Australian Human Rights Commission (https://www.humanrights.gov.au/complaints-information) for their advice and action as necessary.

III. The complaint contact person will inform all relevant personnel of the outcome of the complaint and the implications for all involved, including QSA and its work.

IV. In keeping with principles of natural justice, all parties involved have the right to an appeals process if they feel dissatisfied with the decision made and resultant outcomes. This is to be requested of the contact person handling the complaint as soon as possible.

V. The appeals process will entail the contact person handling the complaint to hear additional comments from parties involved, and to determine who will review the appeal to ensure a fair and equitable response.

6. QSA MANAGEMENT COMMITTEE ACTIONS AFTER THE CONCLUSION OF A COMPLAINT

I. Recommended changes to process, operations or staffing as a result of addressing the complaint are to be reported to the Management Committee for their information and consideration. It is their decision, based on the recommendations received, if a policy needs to be improved, or if staff need to enhance communication about a policy or its implementation, to improve the arrangements for increased understanding and benefit.

II. A review of the remedial action is to be carried out after an appropriate time interval of hopefully up to a year to assess its effectiveness in bringing about the desired change.

III. Where Internal reports regarding a complaint can de-identified to preserve confidentiality, the process and outcome will be available to be used by management as a learning tool to bring about a more efficient and effective process to prevent a reoccurrence of the incident which led to the complaint.

IV. The complaint contact person will report minor complaints to the Management Committee in summary form; major complaints will be reported in detail.

V. A record of the complaint prepared by the contact person will be kept as follows – the date and nature of the complaint; any relevant supporting information; result of the investigation; action taken resulting from the investigation or to remedy the complaint. These records will be kept in a sealed document in the safe in the QSA office, in accordance with QSA's Policy on Information Storage, Retrieval and Archiving and any requirements from external bodies such as insurers.

VI. The effectiveness of the complaints handling process will be included in the annual risk assessment conducted by the Management Committee, and any improvements necessary which are resulting from this assessment.

7. PROMOTION OF THIS POLICY

The Executive Administrator will promote this policy and the processes involved in plain and simple language, recognising that the person who may need to use this process may not have English as her or his first language, or have low literacy levels and respond more easily to pictorial means of communication.

This will include putting the procedure on the QSA website (including contact details for the contact person and alternate), in annual reports, to project partners, contracts with staff and project partners, and to include contact information (email and phone) and processes involved in written and visual forms.

The publicity of this policy will not only include promotion about the existence of the policy, but also education for staff and project partners in receiving and handling complaints.

8. SPIRITUAL GUIDANCE

In all meetings arranged to consider grievances, they are to be held in the Spirit of Quaker Worship, and to keep in mind the following from Advices and Queries and Quaker Faith and Practice".

Where any have received offence from any other, first to speak privately to the party concerned, and endeavour reconciliation between themselves, and not to whisper or aggravate matters against them behind their backs to the making parties and the breach wider'

London YM Epistle, 1692

'Our life is love and peace and tenderness; and bearing one with another, and forgiving one another and not laying accusations one against another; but praying one for another, and helping one another up with a tender hand' Isaac Pennington 1667

In your relations with others, exercise imagination, understanding and sympathy. Listen patiently, and seek whatever truth other people's opinions may contain for you. Think it possible that you may be mistaken. In discussion, avoid hurtful or provocative language; do not allow the strength of your convictions to betray you into making statements and allegations that are unfair or untrue.

Britain YM 1964

Be honest with yourself. What unpalatable truths might you be evading? When you recognise your shortcomings, do not let that discourage you. In worship together we can find the assurance of God's love and the strength to go on with renewed courage. Australia Yearly Meeting 2009, Advices and Queries no 12

If pressure is brought upon you to lower your standard of integrity, are you prepared to resist it? Our responsibilities to God and our neighbour may involve us in taking unpopular stands. Do not let the desire to be sociable, or the fear of seeming peculiar, determine your decisions.

Australia Yearly Meeting 2009, Advices and Queries, no 41

9. AUTHORITIES AND RESPONSIBILITIES

i. The **QSA Management Committee** has the authority and responsibility for:

- approving this procedure;
- ensuring compliance to this procedure; and
- Complete the processes described in Section 10 QSA Management Committee actions after feedback to the complainant at the satisfactory conclusion of the complaints handling process.

ii. **The current Convenor of QSA Management Committee** has the authority and responsibility for:

- when acting as contact person for a complaint, complete the processes described in:
  - Section 7 Lodging a complaint, and initiating the complaint management process;
  - Section 8 Managing complaints; and
  - Section 9 Complaint results.
- When acting as contact person for a complaint provide appropriate information to the QSA Management Committee, so that they can complete the processes described in Section 10, QSA Management Committee actions after feedback to the complainant at the satisfactory conclusion of the complaints handling process.
- Fulfilling the role of review officer should a complainant request that QSA review a complaint.

iii. **The immediate past Convenor of QSA Management Committee**, when reporting to a contact person in the investigation of claims as described in section 6, has the authority and responsibility for completing the processes described in:

- Section 7 Lodging a complaint, and initiating the complaint management process; and
- Section 8 Managing Complaints.

iv. **The QSA Project Partner** overseas, supported by the QSA Project Manager, has the authority and responsibility for:

- organising for the publicity of the policy and the processes within their centre;
- when acting as contact person for a complaint, complete the processes described in:
    - Section 7 Lodging a complaint, and initiating the complaint management process;
    - Section 8 Managing complaints; and
    - Section 9 Complaint results.

When supporting a Project Partner in the management of a claim the QSA Project Manager has the authority and responsibility to complete the processes described in Section 10, QSA Management Committee actions after feedback to the complainant at the satisfactory conclusion of the complaints handling process.

v. **The Executive Administrator** has the authority and responsibility for:

- organising for the publicity of the policy and the processes;
- organising for the policy and procedure to be published in accessible language as users of the document who may need to use this process may not have English as her or his first language, or have low literacy levels and respond more easily to pictorial means of communication.
- ensuring the policy and procedure (including contact details for the contact person and alternate) is distributed via the QSA website, annual reports, to project partners, paid and volunteer members of QSA staff, and QSA Management Committee members
- including the contact information (email and phone) and processes involved in written and visual forms.
- ensuring that the education for paid and volunteer staff, the QSA Convenor, as well as project partners in receiving and handling complaints is conducted.
- When acting as contact person for a complaint, complete the processes described in:
    - Section 7 Lodging a complaint, and initiating the complaint management process;
    - Section 8 Managing complaints; and
    - Section 9 Complaint results.
- When acting as contact person for a complaint provide appropriate information to the QSA Management Committee, so that they can complete the processes described in Section 10, QSA Management Committee actions after feedback to the complainant at the conclusion of the complaints handling process.

FORM FOR REPORTING CHILD SAFEGUARDING INCIDENT TO QSA

This form is to be used to report to QSA any suspicions of or actual abuse of a child, or if an allegation is made to you, or if a child discloses abuse or feels uncomfortable around certain individuals. **When completed, please send this form to QSA's Convenor, convenor@qsa.org.au or to QSA Convenor, Unit 14, 43-53 Bridge Road, Stanmore NSW 2048, Australia, or by phone +612 8054 0400. Further information about QSA may be found on its website www.qsa.org.au**

See also document entitled **Reporting and Investigating Safeguarding breaches**

This document is to be kept confidential, and any action taken will maintain this confidentiality and give due consideration to the protection of those involved, including the reporter of such incidences, such that the process helps to promote the safety, dignity and privacy of those involved.

About you as the reporter to QSA
Your name Your role with QSA Is any other organisation involved? If so please provide details and contact details Your relationship if any to the child concerned
About the child
Name in full, and name which is commonly used Male / Female Age Address Who does the child live with? Please give names and relationship of those living in the same house QSA Project Partner organisation to which child and / or alleged perpetrator is involved
About your concerns / the incident(s)
How did you come to have a concern? Was it something you observed or suspected? Was an allegation made to you by someone? Did a child disclose abuse to you? If an actual event has occurred, what was the date, time and place the incident took place, as reported to you Nature of the concern / allegation What did you observe, such as child's emotional state, any physical evidence/ Please record exactly what was said to you / or what the child said to you and your responses or responses from another informant. Any other relevant information such as does the child have a disability, is there a need for an

interpreter because of language difficulties, relationship between the alleged perpetrator and the child?

Is the child still in danger /at risk of a repeat offence?

Were other children involved, or aware of the incident?

If so, are they also in immediate danger or risk?

Have you spoken to the parents / guardian of the child? If so, to whom, and when?

Has this been reported to Project Partner Y/N When

Has this been reported to officials Y/N To whom When

Advice given by that person or department / agency

Action taken

Signed

Date

Please remember this report and its contents are to remain confidential and must not be discussed with anyone except the person to whom you report. QSA will keep you informed of future action taken, and is grateful for the care and attention provided by you in handling this matter on its behalf.

REPORTING AND INVESTIGATING SAFEGUARDING BREACHES

REPORTING

- **All staff, volunteers, company members, consultants specifically hired by QSA, project partner organisations and staff must clearly understand that sexual exploitation, abuse or harassment in any form is unacceptable.** A strong reporting emphasis encourages a reduction of incidences ultimately, making for safer communities.
- Listen fully and respectfully to the information provided and make a record of what is reported, with anonymity preserved if requested, and to support any investigative processes relating to QSA activities.
- The person making the report shall not suffer any sanctions from QSA or the project partner on account of their actions provided that their actions are in good faith, are based on reasonable grounds, and conform to designated procedures.
- The **reporting of suspicions or actual breaches** of this policy statement within any DFAT funded project to DFAT is mandatory and required within 5 working days in order to comply with current contractual agreements. **The reporting of suspicions or actual breaches of policy statements must be made as soon as possible to QSA via their supervisor, or where the whistle blower has previously done so and believes no action has been taken, or if they feel their supervisor may be complicit in the breach, to QSA's Executive Administrator or country Project Manager, or if they may be complicit in the breach, to the Convenor of QSA who is tasked as QSA's Whistle-blower Protection Officer. (convenor@qsa.org.au or by mail to QSA Office, Convenor, Unit 14, 43-53 Bridge Road, Stanmore, NSW 2048, Australia, or by phone +612 8054 0400).**
- **Any person who receives information about a breach or a suspected breach** of general law shall,
  - if they, after investigation, consider the behaviour complained of to be unquestionably minor, dismiss the allegation and notify the person making the allegation of their decision; or
  - if they believe the behaviour complained of to be significant, they will
    - **report the allegations to the donor of a funded project via QSA who will inform DFAT and / or other donors within 5 days of receiving this information;**
    - QSA will ensure that the allegation is investigated while protecting the safety and identity of the person making the allegation, and ensure the Management Committee are informed of the incident, though not any identifying details.

INVESTIGATION

- **Any such investigation** shall observe the rules of natural justice and the provision of procedural fairness, as well as preserving the anonymity of the person making the disclosure if they wish to remain anonymous, unless this is overridden by due process of law. In addition, confidentiality regarding the issue is to be respected, with no party discussing the issue with any unauthorised persons.
- **Deliberate false reports** against another person will not be tolerated and anyone found making a false, deliberate claim or report will be subjected to disciplinary action, up to and including dismissal.

- **Strict security** will be maintained during the investigation, and all information obtained stored as to prevent unauthorised access. Contemporaneous notes of all discussions, phone calls and interviews will be made, with the person(s) conducting the investigation to be unbiased as far as is possible.
- **The person against whom the report is made** and who is the subject of an investigation, will
    - be informed of the nature of the of the allegation
    - be given opportunity to respond to the allegation prior to the finalisation of the investigation
    - be informed of the substance of any adverse comments to be included in the report
    - be given the opportunity to outline their defence in the report, and may
        - be suspended pending the investigation
        - transferred to other duties if possible.
- **Under the Australian Government's Corporations Act July 2019**, there are penalties for revealing the identity of a whistle-blower and compensation may be payable to the whistle-blower as a consequence.
- **The person to whom the disclosure was made** will notify QSA , who will be responsible for ensuring that the investigation is adequately resourced and established. An investigation plan will be developed to ensure all relevant questions are addressed, that the scale of the investigation is in proportion to the seriousness if the allegation(s) and sufficient resources allocated.
    - if they believe the behaviour complained of to be minor, it may be possible for it to be handled immediately, however a record will still need to be made before the allegation is dismissed and notify the person making the allegation of their decision; or
    - if they believe the behaviour complained of to be significant, they will
        - **report the allegations to the donor of a funded project via QSA who will inform DFAT or other donors within 5 days of receiving this information and potentially make other reports as required by law;**
        - **Any such investigation** shall observe the rules of natural justice and the provision of procedural fairness, as well as preserving the anonymity of the person making the disclosure if they wish to remain anonymous, unless this is overridden by due process of law. In addition, confidentiality regarding the issue is to be respected by all parties involved by not discussing the issue with any unauthorised persons, including the facts that a report has been made, the nature of the report, and the identity of those involved. However, at some point it may be necessary to disclose the fact of the report and its nature to the person who is the subject of the report.
        - **The person to whom the disclosure was made** will notify QSA, who will be responsible for ensuring that the investigation is adequately resourced and established and that confidentiality is maintained as far as possible. An investigation plan will be developed to ensure all relevant questions are addressed, that the scale of the investigation is in proportion to the seriousness if the allegation(s) and sufficient resources allocated.

    - ensure that the allegation is investigated fully in a manner that is respectful of all involved, **while protecting the safety and identity of the person making the allegation**. When a finding is made and acting only on the evidence, the person making the allegation is informed of the decision and potential action to be taken.
- QSA has clear reporting guidelines which requires any known or suspected breaches of its child and safeguarding policy be reported to the relevant authorities here in Australia and in any relevant country.
- **The person making the report shall not suffer any sanctions from QSA or the project partner on account of their actions provided that their actions are in good faith; are based on reasonable grounds; and conform to designated procedures.** Any person who is found to have dismissed, demoted, harassed or discriminated against a whistle blower by reason of their status as a whistle blower, may be subject to disciplinary measures, including dismissal.
- **Strict security** will be maintained during the investigation, and all information obtained stored as to prevent unauthorised access. This also reflects any potential request for anonymity. Contemporaneous notes of all discussions, phone calls and interviews will be made, with the person(s) conducting the investigation to be unbiased as far as is possible.

REPORT

- A report will be prepared when the investigation is complete, to include:-
    - The allegation(s)
    - Statement of all relevant findings of fact and the evidence relied upon in reaching any conclusion;
    - recommendations based on the conclusions to address any wrong-doing identified,
    - Any other matters arising during the investigation.
- **Information for the informant**. Subject to any privacy issues against whom the allegations were made, the informant will be kept informed by the investigator of relevant progress of any investigation and the outcomes.
- A **report** will be prepared when the investigation is complete, to include:-
    - The allegation(s)
    - Statement of all **relevant findings of fact** and the **evidence relied upon in reaching any conclusion;**
    - Should the allegation be unsubstantiated, every effort will be made to address any negative effects on the reputation and morale of the staff involved.in this instance, a report of the allegation, investigation and outcome will be prepared and stored in a secure and confidential manner.
    - Recommendations based on the conclusions to address any wrong-doing identified
    - Any other matters arising during the investigation.
- **Information for the informant**. Subject to any privacy issues against whom the allegations were made, the informant will be kept informed by the investigator of relevant progress of any investigation and the outcomes, provided the whistle-blower did not report anonymously.

SUBSEQUENT ACTION

- Where it is established by the investigator that the **whistle blower is not acting in good faith**, or they have made a false report, then they will be subjected to disciplinary proceedings, including dismissal.
- QSA recognises and accepts **the need to support not only the whistle-blower** but also any individuals against whom a report has been made so that they too are treated fairly.
- **Everyone involved** in the investigation are to be reminded of the possibility of using QSA's Grievances, Complaints Handling and Dispute Resolution process. If the complainant / whistle-blower / person who is the subject of the complaint is dissatisfied with the process or outcome of the investigation, or if non-compliance is suspected, they can make a report to ACFID's Code of Conduct via www.acfid.asn.au
- The **whistle-blower / person making the report shall not suffer any sanctions** from QSA or the project partner on account of their actions provided that their actions are in good faith; are based on reasonable grounds; and conform to designated procedures. Any person who is found to have dismissed, demoted, harassed or discriminated against a reporter / whistle-blower by reason of their status as a whistle blower, may be subject to disciplinary measures, including dismissal.
- Any form of **sanction against a person committing a confirmed misdemeanour** could include, depending on the nature of the breach confirmed and the scale of the workplace, relocation to a non-sensitive site; retraining or mentoring or close supervision; or termination of employment.
- Any form of **sanction against a person committing a confirmed misdemeanour** could include, depending on the nature of the breach confirmed and the scale of the workplace, relocation to a non-sensitive site; retraining or mentoring or close supervision; or formal written warning, or termination of employment in addition to any criminal investigation where relevant.
- QSA will ensure all its **staff and volunteers are well supported and supervised**, and assist project partners to maintain a similar culture in its workplace and exercise a duty of care. QSA will allocate resources from its own funds for any of its staff, volunteers or company members, project partners and project beneficiaries to undergo external therapy or support as needed as a result of them experiencing or witnessing trauma from a breach of this policy statement.

If anyone would like more information about this process, please contact QSA's Convenor, convenor@qsa.org.au, or by mail to QSA Convenor, unit 14, 43-53 Bridge Road, Stanmore NSW 2048, Australia, or by phone +612 8054 0400 Website www.qsa.org.au

WHISTLE BLOWER PROTECTION

DEFINITION

Whistle-blower A person (being an employee of QSA or a project partner organisation, volunteer for QSA or a project partner organisation, member of QSA) who, whether anonymously or not, makes, attempts to make or wishes to make a report to expose any kind of information or activity that is deemed illegal, unethical or not correct within an organisation, and wishes to do so in a manner so as to be protected by QSA against any reprisal for having made the report.

QSA seeks to provide a supportive working environment in which people feel able to raise issues to QSA in a manner which protects them from reprisals following such a report. QSA encourages the reporting of matters that may cause harm to individuals or financial or non-financial loss to QSA or its project partners or damage to QSA's or project partners' reputation. An employee, volunteer or consultant of QSA or its project partners who believes, in good faith and on reasonable grounds that another employee, volunteer or consultant has breached any provision of general law as defined below, that employee, volunteer or consultant ***must*** *make a report in connection with this reportable conduct or suspicion of reportable conduct.* ***This may be done anonymously or not****, and they will be given protection against any reprisal for having made the report provided it is done so in good faith and with reasonable grounds for doing so.*

The reporting process is detailed in Appendices In addition, project participants and project partner staff are actively encouraged to report policy breaches, and a version of the reporting process in local languages are made available via the project partner's office.

Breaches of general law or organisation's policy could include

- Corrupt conduct;
- Fraud or theft or other financial wrong-doing;
- Misconduct, including sexual misconduct and child abuse;
- Maladministration;
- Harassment of any means, including sexual harassment and grooming of a child for sexual purposes;
- Unlawful discrimination - In Australia, it is against the law for anyone to be harassed because of sex; pregnancy; race, ethnicity or nationality; skin colour; marital status; disability; age; carers' responsibilities; homosexuality; transgender status etc. of any associates, work colleagues, relatives, or friends.
- Serious and substantial waste of public resources or project resources
- Practices endangering the health or safety of staff, volunteers, project participant or visitors.

The reporting of suspicions or actual breaches of general law must be made as soon as possible to their supervisor, or if they feel their supervisor may be complicit in the breach, to QSA's Executive Administrator or country Project Manager, or if they may be complicit in the breach, to the Convenor of QSA who is tasked as QSA's Whistle-blower Protection Officer.

It is important that the information about accessibility of the complaints process is well-publicised, and ensuring no complainant is disadvantaged. This disadvantage could include ostracism, petty harassment, damaging rumours, denunciation, discrimination, bullying, punitive workplace transfers or victimisation, dismissal or black-listing, all of which QSA prohibits within its office or supported project.

If anyone would like more information about this process, please contact QSA's Convenor, convenor@qsa.org.au, or by mail to QSA Convenor, unit 14, 43-53 Bridge Road, Stanmore NSW 2048, Australia, or by phone +612 8054 0400. Website www.qsa.org.au