



## Complaints Handling Policy

### 1. Purpose

School for Life Foundation (“SFL”) understands that circumstances may arise where a party may wish to make a Complaint about any aspect of SFL’s activities or work, or about the Complaints handling process itself. SFL is committed to receiving Complaints from anyone, and believes that all Complaints should be handled in an efficient, fair and effective way. Complaints may assist us to identify, address and report on any fraudulent, illegal or unethical conduct (including any sexual exploitation, abuse or harassment) in any of the work we support.

This policy provides guidance, on the key principles and process of how Complaints will be handled and resolved by SFL.

### 2. Scope and Responsibility

This policy applies to all employees and volunteers working with SFL, along with contractors, consultants, interns, visitors, Board members and partner organisations with whom we work (collectively, “SFL Parties”).

This policy is also applicable to all donors, members, primary stakeholders and other recipients of care from SFL.

This policy also applies to anyone else who wishes to make a Complaint.

### 3. Definitions used in this Policy

**Complaint** means an expression of dissatisfaction made to an organisation, related to its products or services, or the Complaint handling process itself, where a response or resolution is explicitly or implicitly expected. A Complaint can also be any grievance, suspicion, allegation, concern or report about an incident or someone’s behaviour. Complaints include General Complaints, Sensitive Complaints or Whistleblower Complaints.

**Complainant** means a person, organisation or its representative, making a Complaint.

**General Complaint** is a Complaint from anyone who has observed, heard about or been directly affected by the actions of SFL or our partners, or who believes that SFL or its partners have failed to meet a specific commitment or obligation.

**Sensitive Complaint** is a Complaint that needs to be treated urgently and confidentially by senior employees within the organisation. A Sensitive Complaint can be made by anyone who has observed, heard about or been directly affected by the actions of SFL or

its program partners. Sensitive Complaints may include bullying and harassment between employees, or unlawful discrimination.

**Whistleblower Complaint** is a Complaint about wrongdoing such as fraud, corruption, abuse, misuse of resources, risk to health and safety etc. This may also be a Sensitive Complaint.

**Mandatory reporting** is the mandatory obligation within SFL to report any concerns, suspicions or alleged incidents of child abuse or exploitation and/or any sexual exploitation, abuse or harassment. It is also mandatory to report fraud.

**Enquiry** means a request for information or an explanation

**Feedback** means opinions, comments, suggestions and expressions of interest in the products or services of the organisation

**Stakeholder or interested party** means a person or group having an interest in the performance or success of the organisation

**Whistleblower** is a special type of reporter who is linked (directly or indirectly) to the organisation who reports a Whistleblower Complaint. Under Australian law, a whistleblower may be entitled to extra protection.

**PSEAH** is prevention of sexual exploitation, abuse and harassment.

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**Sexual exploitation** is any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.

**Sexual abuse** is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**Sexual harassment** is any unwanted physical, verbal or non-verbal conduct of a sexual nature that can include indecent remarks or sexual demands.

**Safeguarding** is any actions, policies and procedures that create and maintain protective environments to protect people from exploitation, harm and abuse of all kinds.

#### 4. SFL's Organisational Commitment and Guiding Principles

SFL expects all SFL Parties to be committed to fair, effective and efficient complaint handling. While all Complaints will be different, SFL will use the following process and guiding principles in handling all Complaints received.



#### 4.1 Confidentiality

SFL recognises that people may feel safer to report a Complaint if they know it will be treated confidentially. This means a Complainant’s identity (name and other details) will not be shared, where possible and appropriate. It is also possible to make an anonymous Complaint. Sometimes we need to share some information with other people. Confidentiality means that SFL will share minimum information with the minimum number of people, and only with people who need to know (“need-to-know” basis).

#### 4.2 Responsiveness

SFL will promptly advise Complainants that we have received their Complaint. We will respond to Complaints according to how urgent or serious they are. If somebody’s safety or security is at risk, we will respond immediately and will escalate appropriately. We are committed to managing your expectations, and will inform you, as soon as possible, of:

- What will happen (the Complaints process)
- When it will happen (the expected timeframes for our actions)
- How it is progressing (whether an investigation may take place, reasons for any delays and how you may be involved) If we cannot deal with any part of your Complaint, we will tell you (and if possible, we will advise you what you can do instead). If the Complaint is about something that is not within the scope of our organisation, it will be referred to the relevant party (see section 5.3.3).

#### 4.3 Accessibility

We promote safe and dignified ways of making a Complaint. We can be contacted via multiple platforms and it is free to make a Complaint. We work with our in-country employees and program partners to develop ways to make Complaints that are safe, easily accessible, while being mindful of local contexts, culture and language (including low literacy).

#### 4.4 Impartiality

Each Complaint will be handled with integrity and without bias, irrespective of the subject of the Complaint. We follow procedural fairness which means that all parties,

including the respondent, are treated in a dignified way. We will ensure that the person handling a Complaint is different from any employee who is the subject of, or involved in, the Complaint.

#### **4.5 People-focused**

Throughout the Complaint process, SFL commits to prioritise the safety, rights, needs and wishes of all people whilst ensuring procedural fairness to all parties. We especially recognise the needs of those who are vulnerable or may be victims/survivors of harm. We will provide the Complainant with information about how we handle Complaints. We will treat the Complainant with dignity and respect, actively involve the Complainant in decision making, provide the Complainant with comprehensive information, protect the Complainant's privacy and confidentiality and, where required, assist the Complainant to access other support services including health or psychological services.

#### **4.6 No detriment to people making Complaints**

SFL will take all reasonable steps to ensure that people making Complaints are not adversely affected because a Complaint has been made by them or on their behalf.

### **5. Complaint Process**

#### **5.1 Making a Complaint**

Where a Complaint is made to SFL, it should be:

- Made in whatever format the Complainant wishes, and should provide as much information as possible to allow SFL to investigate the Complaint made;
- Include the name and contact details of the Complainant, noting that anonymous Complaints will be accepted in certain circumstances, including Whistleblowing Complaints;
- Set out the basis of the Complaint, including all relevant details (names, locations, times, actions);
- Include all relevant supporting evidence; and
- If sent by mail, be addressed to either:

**(Australia)** - Complaints Handling Officer  
School for Life Foundation  
Suite 106, Level 1,  
1-3 Gurrigal St,  
Mosman, NSW, 2088

**(Uganda)** - Complaints Handling Officer  
School for Life Foundation  
GPO Box 72527  
Clock Tower Post Office,  
Kampala, Uganda

If sent by email, be addressed to [hello@schoolforlife.org.au](mailto:hello@schoolforlife.org.au), marked to the attention of the Complaints Handling Officer.

If these requirements are not met, or if insufficient information is provided, this may impact SFL's ability to investigate and respond to a Complaint.

## **5.2 Types of Complaints**

### **5.2.1 General Complaint**

A General Complaint includes but is not limited to:

- Funding and program decisions;
- Program implementation;
- Fundraising and Supporter Services;
- Conflict of Interest issues;
- Employment issues including Complaints or concerns about:
  - Safety or security within the work environment
  - Unethical behaviour associated with organisation changes
  - Unfair or unjust employment conditions

In relation to workplace complaints, SFL supports a culture of speaking up. If a Complainant has a Complaint about employment issues, they should first speak with their manager (if appropriate) and refer to the SFL Employee Handbook. If a Complainant feels that their Complaint is not being heard, is a Whistleblower Complaint or it relates to the manager to whom they would otherwise report the Complaint, it may be appropriate to escalate it in line with this policy.

### **5.2.2 Sensitive Complaint**

A Sensitive Complaint includes but is not limited to:

- Corruption
- Theft
- Fraud
- Misuse of funds
- Exploitation
- Abuse
- Harassment
- Bullying
- Discrimination
- Misconduct
- Negligence
- Matters raised under SFL's Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy and Child Protection Policy
- Any other abusive or inappropriate behaviour by our personnel, partners or those involved in our work in-country.

### **5.2.3 Whistleblower Complaint**

A Whistleblower Complaint is described in Appendix 1. A person who makes such a Complaint is known as a whistleblower. Whistleblowers have extra protection under Australian law if they:

- Are connected to SFL in a certain way (be an “eligible whistleblower”);
- Tell the right person (an “eligible recipient”); and
- Make a certain type of Complaint (a “disclosable” matter’).

If you suspect something is wrong, even if it is not illegal, it is your responsibility to report it.

## **5.3 The Complaint Process**

### **5.3.1 Acknowledging Complaints**

SFL will promptly acknowledge receipt of Complaints. SFL will assess and prioritise Complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately.

All Complaints will be recorded. We will treat Complainants respectfully, and will inform them within 2 working days that we have received their Complaint.

When we receive a Complaint, SFL will respond to the Complaint in line with this policy and any relevant standards and legislation.

### **5.3.2 Complaint Referral**

Where appropriate, general Complaints are referred to the local management level to be investigated and resolved. Where this is not possible (because the Complaint is sensitive, because there isn’t enough capacity or expertise at the local level, or because the allegation involves senior personnel), the matter will be referred to the board of SFL for consideration.

Sensitive Complaints (including fraud, sexual exploitation, abuse and harassment and child protection matters) are always referred to the SFL CEO or COO for consideration. Sensitive Complaints will be managed and investigated by senior personnel.

Complaints will be assigned to an appropriate person who is impartial with the authority to take action where necessary. For example, where a Complaint involves the CEO, it will be directed to the Chair of the Board.

### **5.3.3 Referring Complaints to other organisations**

5.3.3.1 We work with our partners to ensure it is easy for people to make a Complaint. Our partners are responsible for handling Complaints in line with cultural, social, program and local contexts. This forms part of our accompaniment and capacity

building initiatives in accordance with the Child Protection and Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy.

5.3.3.2 Complaints that are made about another organisation and/or their personnel will, where appropriate, be referred to that organisation so that the organisation can resolve it under their own Complaints handling mechanism. In certain circumstances, it may be appropriate for SFL to refer the Complaint to police or other authorities.

5.3.3.3 SFL will abide by all mandatory reporting requirements. We are obligated in certain circumstances to report to authorities, such as law enforcement agencies or ACFID.

5.3.3.4 If a Complainant believes that SFL has breached the ACFID Code of Conduct, a Complaint may be lodged with the ACFID Code of Conduct Committee (<https://acfid.asn.au/content/Complaints>).

### **5.3.4 Managing Complaints**

5.3.4.1 Complaints are taken seriously and will be handled as quickly as practical. We will aim to resolve Complaints within 30 days. If a Complaint is not resolved within 30 days, we will let the Complainant know and continue to keep them informed.

5.3.4.2 Where they are not anonymous, we will inform Complainants of the outcome (subject to legal and regulatory requirements or guidance including the ACFID Code of Conduct) as soon as possible.

5.3.4.3 We address Complaints in a fair, equitable, objective and unbiased manner. Any issues of conflict of interest will be managed in accordance with SFL's Conflict of Interest Policy.

5.3.4.4 Where this policy conflicts with legislation, SFL will comply with legislative obligations.

5.3.4.5 If Complaints relate to program partners and/or their personnel in the countries where we work, SFL will work with the partner, where reasonably possible to address the Complaint in line with cultural, social, program and local contexts. In certain circumstances, it may be appropriate for SFL to discontinue the partnership.

5.3.4.6 Complaints are initially handled by the Complaints Handling Officer. Sensitive Complaints will be referred directly to the CEO for investigation. Where appropriate, including where the Complaint involves the CEO or the Complaints Handling Officer, the Board will be informed immediately of the Complaint and will determine the appropriate way it will be investigated.

### **5.3.5 Investigating and Determining the Outcome of Complaints**

#### **5.3.5.1 Investigating Complaints**

SFL will investigate Complaints in a transparent manner, and will communicate in a transparent manner with relevant parties in relation to the investigation process.

Complaints will initially be investigated by the Complaints Handling Officer in either Australia or Uganda (as relevant to the nature of the complaint), other than complaints that fall within Clause 5.3.4.6.

#### **5.3.5.2 Ensuring fair treatment**

SFL will handle Complaints confidentially where it is practical and appropriate. The investigation will be impartial and fair for all involved (including the Complainant and the respondent). As reasonable in the circumstances, both the Complainant and Respondent will be provided with support throughout the process. Where appropriate, the Respondent will be told what the Complaint is about (the subject matter) to enable them to respond appropriately. Where relevant, Respondents will have an opportunity to provide additional information and name other sources who may verify this information.

#### **5.3.5.3 Outcome of Complaints**

If a Complaint is upheld, the matter will be referred for appropriate disciplinary processes. In the case of vexatious Complaints made by a SFL employee, they will be referred for appropriate disciplinary action. Vexatious complaints may also be referred to authorities or result in legal action against the Complainant.

#### **5.3.5.4 Communicating outcomes of Complaints**

SFL will ensure that the Complainant and the respondent are informed of the outcome of the Complaint. Other personnel will be informed of the outcome as required based on a need-to-know basis depending on the nature of the Complaint.

During this process, we will continue to respect the confidentiality of persons involved where appropriate. We will take all required remedial action as indicated by the investigation. Where needed, we will counsel personnel and undertake disciplinary action. In keeping with confidentiality and privacy requirements, we will consult with relevant bodies for advice.

### **5.4 Implementation of this Policy**

SFL's Complaints Handling Policy is distributed during the induction process via the Employee Handbook that all staff and volunteers are provided with upon commencement of work with SFL. Through signing of the Employee Handbook declaration, staff and volunteers acknowledge and agree to be bound by this Policy. We require all those who may be involved with a Complaint, in any way, to be committed to the principles outlined in this Policy. SFL staff directly involved in the handling of Complaints are trained in the implementation of this Policy. SFL's program staff are also trained to support partners to encourage, receive and handle complaints while being mindful of local contexts, culture and language.



<b>Policy Approved by:</b>	
<b>Approval Date:</b>	
<b>Policy Owner:</b>	
<b>Last Updated:</b>	

## **Appendix 1**

### **Whistleblower Protections**

As long a Complaint is made in good faith, we offer Complainants protection from being negatively affected. We offer this protection to all people, regardless of their situation.

Complainants may also wish to get extra protections under Australian Law (the Corporations Act) in certain circumstances.

To get these extra protections under law, Complainants need to:

- Be connected to SFL in a certain way (be an “eligible whistleblower”)
- Tell the right person (an “eligible recipient”)
- Make a certain type of Complaint (a “disclosable matter”)

### **Eligible Whistleblowers**

To be an eligible whistleblower, you need to be connected to SFL as:

- An employee;
- An officer (such as a Director of the Board);
- A volunteer, contractor or consultant who supplies goods or services to SFL (and this also includes their employees); or
- A spouse, relative or dependent of one the above

### **Eligible recipients**

You can make a Complaint to any of these people or organisations (“eligible recipients”):

- A Director of the Board of SFL;
- A senior manager of SFL such as CEO, COO or Head of Fundraising and Impact;
- An auditor, or a member of an audit team conducting an audit;
- A government body (such as ASIC or APRA); or
- A legal practitioner (such as a lawyer) – in this case, you must ask for legal advice or legal representation on whistleblower protections.

### **Disclosable Matters**

You can make a whistleblower Complaint if you have objectively reasonable grounds to suspect:

- Misconduct or an improper state of affairs or circumstances in relation to SFL;
- A contravention by SFL of the Corporations Act 2001 (Cth), and any other relevant legislation that provides for whistleblower protection, or their associated Regulations;
- That an offence against any other law of the Commonwealth bearing a term of imprisonment of 12 months or more has occurred;
- Conduct which represents a danger to the public or the financial system; or
- Any other eligible conduct prescribed by relevant Regulations.

These are known as “disclosable matters”. Some examples of disclosable matters are:

- Misconduct
- An improper state of affairs or circumstances in relation to SFL
- Theft
- Fraud
- Embezzlement
- Negligence
- Breach of legal duty
- Harassment
- Unlawful discrimination
- Bullying
- Corruption
- Unethical conduct
- Risk to health or safety of any person
- Failure to comply with legal obligations (breaking the law)
- Criminal offences
- Not following the Corporations Act, or other similar laws
- Concealment (hiding) any of the above

If a Complaint is about something else, it can still be made. A Complainant will still be protected by SFL (but the Complainant will not get extra protections under the Australian law).

### **Examples that are not Whistleblower Complaints**

- Interpersonal conflicts between employees (see SFL Employee Handbook)
- A breach in workplace law, such as a decision relating to promotion, engagement or transfer (see SFL Employee Handbook)

### **How whistleblowers will be protected**

SFL understands that it can be difficult to make Complaints. SFL will take all practical steps to protect those who make a whistleblower Complaint as long as it is made in good faith. Complainants who make a Complaint as a whistleblower will be afforded protection from identity disclosure, protection from harmful acts or omission, compensation and remedies, and civil, criminal and administrative liability protection.

This includes protection for the Complainant from:

- Being named publicly as the person who made the Complaint;
- Information being shared that is likely to identify them;
- Being dismissed from their job;
- Having their job changed ;
- Being intimidated or harassed;
- Harm or injury (physical, psychological);
- Damage to property;
- Damage to your reputation; and

- Similar actions

If a Complainant suffers loss, damage or injury, there may be potential compensation and remedies available as well. We encourage you to seek independent legal advice.

### **Complaints made in good faith**

These protections apply as long as the Complaint was made in good faith, even if the Complaint was found to be incorrect. Protections also apply if the Complaint was made anonymously.

In Australia, these protections are law under the Corporations Act 2001. The Corporations Act protects whistleblowers from specific legal action (such as if a Complainant breaks the confidentiality clause in their employment contract by speaking out).

Complainants will be protected if a Complaint is made in good faith (this is called objectively reasonable grounds). However, if a Complaint is considered to be false or vexatious, disciplinary action may be taken against the Complainant.