



COMPLAINTS AND WHISTLEBLOWING POLICY

Approved by Board: June 2021*
Next Review: 2024

* This Policy (version approved June 2021) merges Complaints & Whistleblowing into one comprehensive policy with all content from prior versions substantially revised with pro bono advice and review by Intelligent Risks Pty Ltd and Norton Rose Fulbright lawyers. See each separate archived policy for prior document history.

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1. INTRODUCTION

The Australian Himalayan Foundation (AHF) is committed to high standards of openness, probity and accountability in every area of its work and to continuous improvement.

As such, it is critical that all AHF stakeholders, including personnel, partner organisations, project participants, donors and the public are able to provide feedback, report concerns and make complaints. AHF acknowledges that most cases will need to proceed on a confidential basis.

AHF recognises the importance of dialogue as one of the most important ways of learning how to improve our work. We value listening and responding to inquiries, concerns and complaints.

Staff and volunteers are often the first to realise that there may be something seriously wrong within an organisation. However, they may not report their concerns because they feel that it would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. It is important that all stakeholders are able to “blow the whistle” and safely voice any concerns of wrongdoing or misconduct.

This policy provides guidance on management of complaints from the public or other external stakeholders, as well as the mechanisms for internal notification of wrongdoings through AHF’s whistleblowing procedures.

2. PURPOSE

The purpose of the Complaints and Whistleblowing Policy is:

- 2.1 to provide an effective, accessible and safe process for all stakeholders to raise feedback, a concern or a complaint, or to report an incident without fear of victimisation, subsequent discrimination, disadvantage, or adverse employment consequences;
- 2.2 to provide protection for those that report misconduct;
- 2.3 to encourage and enable employees to raise serious concerns.

The Policy outlines the processes to be undertaken by stakeholders and AHF in order for internal and external complaints to be appropriately dealt with fairly, efficiently and impartially, ultimately strengthening AHF’s accountability and efficiency as an organisation.

3. SCOPE

3.1 Stakeholders

This Complaints and Whistleblowing Policy applies (except as otherwise stated) to all AHF personnel including Board and Committee members, employees, volunteers, contractors, representatives and AHF partner personnel.

This Policy refers to complaints related to any AHF work or AHF stakeholder including: Board and Committee members, employees, volunteers, contractors, representatives and AHF partner personnel, or anyone else acting on behalf of AHF.

A concern or complaint may be made by any stakeholder, including (but not limited to) AHF and/or partner Board and Committee members, employees, volunteers, contractors, representatives, donors, members of the public, government authorities, or a person affected by or participating in AHF projects or activities (directly - primary stakeholders; or indirectly - secondary stakeholders).

AHF will ensure that project partners have a similar policy or procedures to AHF Complaints and Whistleblowing Policy or that it abides by AHF's and that its content is communicated to primary stakeholders in local language.

3.2 Types of complaints

This policy covers two main types of complaints and Whistleblowing Disclosures:

1.	General Complaints: A general complaint, concern or incident regarding AHF's work and activities including but not limited to: <ul style="list-style-type: none">● Funding and program decisions● Program implementation● Conflict of Interest issues● Fundraising and Supporter Services● Safety or security in the workplace● Unfair or unjust employment conditions● An AHF Board member, employee or other personnel has caused a grievance or concern, or failed to deliver according to our quality and accountability standards, see www.australianhimalayanfoundation.org.au/policies/	<ul style="list-style-type: none">● Refer to Section 5 for Policy guidelines.● Follow AHF's Complaints Handling Procedures (see Annexes).
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2.	<p>Serious Complaints: Concerns in relation to any suspected or actual incident, concern or allegation involving:</p> <ul style="list-style-type: none"> ● child abuse & exploitation ● Sexual exploitation, abuse, harassment or misconduct ● Bullying, harassment, discrimination ● Fraud, corruption, bribery ● Terrorism ● Undisclosed conflicts of interest ● or any other criminal activity <p>Does not concern any matter or disclosure which falls within the operation of section 6 of this policy (Whistleblowing Disclosures).</p> <p>All AHF stakeholders are required to report Serious Complaints and Serious Incidents to the AHF CEO (or Board Chair if the incident involves the CEO).</p> <p>Complaints made by persons who are eligible Whistleblowers under section 6.2, and which amount to Whistleblowing Disclosures, are dealt with exclusively within section 6 of this policy.</p>	<ul style="list-style-type: none"> ● Contact AHF CEO (or AHF Board Chair if the matter involves the CEO) (see Annexes for contacts and process). ● See AHF Serious Incident Procedures and Form (see Annexes). <p>[Internal: AHF CEO, Board Chair or Head of Programs to complete Serious Incident Form]</p>
3.	<p>Whistleblowing Disclosures:</p> <p>Disclosures which are protected under the Corporations Act 2001 (Cth) and Taxation Administration Act 1953 (Cth) are dealt with exclusively within section 6 of this policy, regardless of whether they may also amount to a General Complaint or Serious Complaint.</p>	<ul style="list-style-type: none"> ● Refer to section 6. ● See Annex D Whistleblowing Disclosure Procedure.

The following are not considered complaints and do not form part of this policy:

✘	<ul style="list-style-type: none"> ● Enquiries about AHF's work or requests for information 	<p>Email: info@ahf.org.au Phone: (+612) 94381822 Online enquiry form (AHF website)</p>
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	<ul style="list-style-type: none"> ● AHF may receive minor concerns or complaints that may be based on a misconception or insufficient information that can be readily provided or corrected by a member of staff. If the complainant is satisfied with the response the complaint may be considered an enquiry ● Requests to unsubscribe or be removed from our database 	
×	Complaints against one or more employees of a third party organisation (e.g. not AHF or one of our partners)	Address to the management or governing board of the organisation.
×	Complaints relating to ongoing legal proceedings	AHF will not hear these complaints until the case is resolved.

4. GUIDING PRINCIPLES

The *Complaints and Whistleblowing Policy* is based on the principles of:

Accountability

- AHF will ensure all of our stakeholders can raise concerns, make complaints and report incidents to the organisation in a safe and confidential manner.

Accessibility

- AHF will provide a clear, public and easily accessible mechanism for raising concerns, receiving complaints and reporting incidents from any entity or person, irrespective of their gender, status, ability or background, and without prejudice to their future participation in AHF activities.
- AHF will ensure the complaints handling and reporting mechanisms are clearly communicated to Board and Committee members, employees, volunteers, contractors, representatives and AHF partner personnel.
- AHF will also ensure that project partners have communicated complaints and reporting mechanisms to primary stakeholders in languages and formats they understand.

- AHF will train in-country program partners to encourage, receive and respond to feedback, concerns, complaints and incidents.
- AHF will strive to consult with primary stakeholders so that their perspectives inform the design of community-based complaints mechanisms, particularly in relation to sexual exploitation, abuse and harassment.

Confidentiality

- Where legally required, AHF will not share a complainant's identity.
- In certain circumstances, and where it is legally permitted, AHF may need to share the identity of the complainant.
- AHF also accepts anonymous complaints.

Fairness

- AHF will treat all concerns, complaints and incidents raised seriously. AHF will ensure that all parties are treated fairly, and the principles of natural justice will be taken into account. Each complaint will be handled with integrity and without bias.

Survivor-Centred

- AHF will prioritise the rights, needs, wishes and empowerment of survivors of any form of sexual or non-sexual abuse, exploitation, harassment, bullying, discrimination or incident.
- AHF will investigate sensitively and confidentially with primary concern for the survivor, and ensure our response is sensitive to the wishes and protection of survivors.
- Where required AHF will assist victims / survivors to access support services including health, legal, financial or psychological services and address any immediate protection assistance and/or rehabilitation.

Responsiveness

- AHF will ensure that feedback, concerns, complaints and incidents are handled effectively, efficiently, objectively and in utmost confidentiality.
- AHF will promptly acknowledge receipt of a report within 5 days. AHF will respond to reports according to how urgent or serious they are. If somebody's safety or security is at risk, AHF will respond immediately and will escalate appropriately.

5. GUIDELINES

The procedures for lodging complaints and incidents, and AHF's handling and management processes are outlined in the Annexes to this Policy and in AHF Procedures Manual.

5.1 MAKING A COMPLAINT

5.1.1 To AHF

A complaint may be made to any AHF personnel including Board and Committee members, employees, volunteers, contractors and representatives. If it does not meet the complaint criteria covered by this policy (see section 3.2), it may be closed immediately by referring the complainant to the correct organisation or channel.

All complaints received by non-employees need to be referred to an AHF employee so it can be managed and logged following AHF complaints handling procedures. Any serious incident must immediately be escalated to the AHF CEO, or if the matter involves the CEO then to the AHF Board Chair.

AHF's preference is to receive feedback, concerns and complaints in writing or by email.

If the complaint is about employment or performance issues, the employee should first speak with their manager and refer to the AHF Employee Handbook. If the employee feels their complaint is not being heard, it is appropriate to escalate it in line with this policy.

See Annexes, the AHF website, and AHF complaints procedures for contact details to lodge a complaint.

5.1.2 To AHF partners

Complaints can be made to AHF program partners. Program partners have an obligation under their contracts with AHF to have processes in place to receive and manage complaints, and are required to follow these.

If a partner, or any primary or secondary stakeholder has a complaint against AHF, they should, in the first instance, take this complaint to the AHF Head of Programs and/or AHF CEO. If the complaint is against the CEO, or if they are dissatisfied with the response to their complaint, they should contact the Chairperson of AHF Board'. Serious complaints (such as child abuse or sexual exploitation) must be reported to the AHF CEO immediately (or AHF the Board Chair if the matter involves the CEO).

AHF works with partners to ensure that they:

- Understand their obligations to receive and manage complaints
- Provide options for raising a concern, making a complaint or reporting an incident that are easy to use and accessible, including for primary stakeholders and children
- Make the process culturally appropriate and strive to consult with primary stakeholders so that their perspectives inform the complaints mechanisms
- Handle complaints in line with relevant organisational policies, procedures, contracts and the law
- Record and report where required to AHF.
- Provide support and/or referrals as required to survivors

Receiving feedback, concerns, complaints or reports of incidents from primary stakeholders is very important. It helps both AHF and our partners learn what additional steps need to be put in place to strengthen organisation, program and processes.

5.1.3 Whistleblowing Disclosures

Whistleblowing Disclosures are dealt with exclusively within section 6 of this policy, regardless of whether they may also amount to a General Complaint or Serious Complaint.

5.2 RECEIVING A COMPLAINT

- AHF will acknowledge receipt of the feedback, concern, complaint or incident (oral immediately, written within 5 days).
- To determine how the complaint is to be managed AHF will assess it to determine if it is a general complaint, or a serious complaint.
- In making an assessment, AHF will consider this policy, particularly section 3.2 and the definitions. AHF may also assess the matter in terms of: severity; sensitivities; health implications (including mental health) and safety; laws, regulations and contractual obligations; financial implications; complexity; the impact on the complainant; systematic implications; and potential timeframes, including the need for and possibility of immediate action.
- AHF may need to seek further information from the complainant to assist with assessment.

5.2.1 Receiving a General complaint

- General complaints will be managed by the most appropriate AHF employee relevant to the matter.
- The AHF employee will escalate the matter to their supervisor and/or AHF CEO if they are unsure of how to manage the matter or need any support.
- The complaint will be logged in the AHF complaints register.
- If the complaint is made verbally, AHF commits to recording this in writing. The complaint will be addressed in writing or orally in exceptional circumstances in remote rural locations.

5.2.2 Receiving a Serious Concern, Complaint or Incident

- All serious complaints will be escalated to the AHF CEO immediately, or to the AHF Board Chair if the matter involves the CEO.
- All serious complaints will be recorded by AHF CEO (or Chair) on the AHF Serious Incident Form and follow the AHF Serious Incident Procedures.
- Any suspected, alleged or actual serious incident involving a project or activity funded by ANCP will immediately be reported to DFAT.
- If a child is making the complaint, AHF will refer to and follow the Child Safeguarding Policy.
- AHF will consider whether it is safe to report to law enforcement agencies, taking into consideration the wishes of the victims/survivors.

5.3 COMPLAINTS ABOUT PROGRAM PARTNERS

If complaints relate to program partners and/or their personnel in the countries where we work, AHF will work with the partner to address the complaint in line with cultural, social, program and local contexts.

AHF will expect the partner to respond quickly and appropriately. AHF should assist, where possible, the partner organisation to ascertain its obligations under local law, including referral of the matter to the police or other statutory authorities for criminal investigation where appropriate.

Where initial enquiries indicate that further investigation is necessary and where appropriate, AHF should work with the partner to address the issue through an appropriate independent investigation.

If the investigation concludes that a serious incident has occurred, specific actions will be agreed between AHF and the partner. The partner will ensure the actions are implemented and provide AHF with the necessary confirmation and assurances.

Ongoing inquiries and investigation of the concern or allegation work with the partner cannot involve the individual(s) who are the subject of the allegation. This also must specifically exclude involvement in the inquiries of any individuals who may have a personal relationship with or conflict of interest, relating with the person who is the subject of the concern or allegation.

The following outcomes may be decided:

- Taking no further action;
- Further education on the relevant AHF policy;
- Formal warning and monitoring to employee/volunteer;
- Transfer to alternative duties of employee/volunteer;
- Dismissal/end of contract/end of volunteer engagement.
- Suspension of agreement with partner pending implementation of specific actions;
- End of agreement with partner.

5.4 PROTECTING AND COMMUNICATING WITH SURVIVORS AND COMPLAINANTS

- AHF commits to provide any necessary assistance to victims and survivors, not limited to: medical, counselling, social, legal and financial assistance, or referrals to such services.
- AHF will also take reasonable steps to ensure victims, survivors and complainants are safe and not exposed to further harm.
- Depending on the location and technical connectivity support offered may include external counselling services through AHF'S ACCESS Employee Assistance Program

5.5 SUPPORTING AND COMMUNICATING WITH RESPONDENTS

In ensuring investigations are impartial and fair for all involved, respondents will be told what the complaint is about (the subject matter) to enable them to respond appropriately. Where relevant, a respondent will have the opportunity to provide additional information and name other sources who may verify their account.

Respondents will be provided with support throughout the process and may also access external counselling services through AHF'S ACCESS Employee Assistance Program.

5.6 INVESTIGATION PROCESS

AHF will make every reasonable effort to investigate all relevant circumstances and information relevant to the complaint. The level of investigation will match the seriousness and frequency of the complaint. Possible steps may include:

- Conducting additional interviews with the person/s who made the allegations, other witnesses to gather more information;
- Conduct interview/s with the alleged offender/ respondent;
- Gather other relevant evidence when possible;

If deemed appropriate, suspend the person whom the allegations have been made against from duties with pay during the investigation.

Serious concerns, complaints and incidents may be referred by the CEO to the AHF Board for consideration and decision. The AHF Board will be kept informed about the progress of the investigation and its outcomes.

Investigative assistance may be sought from internal or external experts as required.

5.7 TIMEFRAMES

AHF commits to acknowledging written complaints within five working days, and oral complaints immediately. It further aims to resolve complaints within 30 working days. If the complaint is not resolved by then it will inform the complainant of the progress and keep them regularly updated regarding the progress of their complaint.

5.8 OUTCOMES OF COMPLAINTS

We will inform complainants and respondents of the outcome (subject to legal and regulatory requirements or guidance including the ACFID Code of Conduct) as soon as possible.

The complainant will also be asked whether they are satisfied with the decision. If they are not satisfied, a review of the process and decision will be undertaken.

In some cases AHF will advise that the complaint be referred to the Code Committee of ACFID. The Foundation will provide all necessary information for referral to the Code Committee and offer to assist in referral.

AHF will take all required remedial action, be prepared to change the way in which it operates, and commit to further training of staff and personnel if necessary. Where needed, employees or volunteers will be counselled or disciplined. Where appropriate AHF will consult and take advice from ACFID and/or relevant regulatory/enforcement authorities.

5.9 APPEALING OUTCOMES

AHF wants to make sure all complaints are satisfactorily resolved. If, after having the opportunity for feedback, a complainant, survivor or respondent does not feel satisfied with the outcome, they can advise AHF.

Complainants may escalate their complaint to the AHF Chair to appeal the outcome. Complainants may also take their complaint to the ACFID complaints body outlined in section 8 below.

We encourage complainants, survivors and respondents to ask for clarification or feedback during the process.

5.10 SAFETY FROM REPRISAL OR DISADVANTAGE

Any allegation that a person has engaged in a reprisal contrary to the requirements of these guidelines will be investigated and the matter treated seriously. If proven to have occurred, it will expose the wrongdoer to the risk of a disciplinary response including any termination of employment/engagement.

Allegations of reprisal or other forms of bullying or discrimination arising from a complaint should be immediately escalated to the CEO AHF, or where it involves the CEO to the AHF Board Chair.

5.11 FALSE COMPLAINT

If a complainant (AHF personnel) is found to have made a false allegation maliciously or vexatiously, the complainant may be exposed to a disciplinary response including termination of employment/engagement.

5.12 RECORD KEEPING

All complaints and incidents will be logged in a complaints register. A record of the complaint will include the date of receipt, a description of the complaint, supporting and related documentation, and details of the response. At the request of the complainant or survivor the complaints will be de-identified, including within the complaints register.

5.13 CONTINUOUS IMPROVEMENT IN COMPLAINT HANDLING

In order to learn from complaints AHF will ensure that all relevant personnel are informed of the outcomes of complaints and the implications for the delivery of programs or other activities, whilst respecting survivor/respondent/complainant confidentiality as required.

AHF will monitor the effectiveness of its complaints handling on a regular basis and make amendments as appropriate.

5.14 AHF CONTACT PERSON

AHF will ensure this policy is publicly available on its website, and ensure complaint procedures are easily accessible and usable for all types of stakeholders. Including, but not limited to:

- Contact details for key roles, phone numbers, email address
- Online form
- Postal address

See Annexes for procedures and contact details.

6. WHISTLEBLOWING DISCLOSURES

6.1 Policy overview

AHF is committed to conducting its business with honesty and integrity and in accordance with its values.

This section 6 is intended to encourage our staff and others who work with us to disclose Improper Conduct that they become aware of. Your disclosure can be made anonymously and your identity will be kept confidential (except in certain limited circumstances). We are committed to ensuring that anyone who reports such conduct is not victimised as a result.

In Australia, the *Corporations Act 2001* (Cth) (**Corporations Act**) and *Taxation Administration Act 1953* (Cth) (**Taxation Act**) (together, **Whistleblower Protection Laws**) protect whistleblowers from detrimental treatment. These protections are available under this section 6 and at law, provided:

- you have a connection with AHF, as set out at section 6.2;
- you have reasonable grounds for your concern;

- your concern relates to the types of matters set out at section 6.3 as Improper Conduct; and
- you raise your concern directly with one of the recipients set out at section 6.4.

Disclosures which are protected under the Whistleblower Protection Laws are dealt with exclusively by this section 6, regardless of whether they may also amount to a General Complaint or Serious Complaint under this policy.

Provided you have reasonable grounds for suspecting Improper Conduct (and meet the other requirements above), the whistleblower protections apply even if your disclosure turns out to be incorrect.

This policy summarises the legal requirements of the Whistleblower Protection Laws and is to be read subject to those requirements.

This policy applies to disclosures of Improper Conduct made in accordance with the policy irrespective of when the Improper Conduct is said to have occurred.

6.2 Who can make a disclosure under this policy?

A broad range of people may make a disclosure under this section 6, including any of the following:

- 6.2.1 current and former officers, employees and associates;¹
- 6.2.2 current and former contractors, suppliers and agents, and their current and former employees (and their relatives); and
- 6.2.3 family members or spouses of any of the above individuals.

6.3 What is Improper Conduct?

You can make a disclosure if you have reasonable grounds to suspect that the information concerns the following Improper Conduct:

- 6.3.1 *misconduct in the provision of AHF's services* – this may include fraud, negligence, default, breach of trust, breach of duty, deliberate or negligent breaches of laws;
- 6.3.2 *improper state of affairs or circumstances in the provision of AHF's services* – this may include unethical conduct; conduct which may cause financial loss to us or be

¹ An associate means an individual who is an associate of AHF within the meaning of the *Corporations Act 2001* (Cth) (**Corporations Act**), and in this context means directors and company secretaries of any related body corporate of AHF.

detrimental to our services; systemic or serious breaches of AHF's policies, including breaches of AHF's Code of Business Ethics, Anti-bribery and Corruption Policy, etc;

- 6.3.3 *conduct by AHF, or our officers or employees that breaches any relevant laws or regulations;*
- 6.3.4 conduct by AHF, or our officers or employees, that represents a danger to the public or the financial system;
- 6.3.5 misconduct or an improper state of affairs or circumstances, in relation to our tax affairs;
- 6.3.6 breach of conduct that is prescribed by regulations; and
- 6.3.7 any attempt to delay or conceal reporting any of the above conduct.

A personal work-related grievance can be reported under this section 6 if it relates to a systemic issue or it involves victimisation in breach of this section 6. Otherwise, in most instances, personal work-related grievances should be progressed under this policy as either a General Complaint or Serious Complaint.

Personal work-related grievances comprise interpersonal conflict between the discloser and another person, a decision relating to engagement, transfer or promotion of the discloser, a decision relating to the terms of engagement of the discloser, or a decision relating to suspension, termination or discipline of the discloser.

6.4 **How can a report be made?**

To receive protection, your disclosure must be made to one of the following:

6.4.1 Internally: Directly to an eligible recipient within AHF, as follows:

- (1) Chief Executive Officer (CEO) or the AHF Board Chair;
- (2) officers – this includes directors and the company secretary;
- (3) senior managers – this includes a person (other than a director or company secretary) who makes, or participates in making, decisions that affect the whole, or a substantial part, of AHF's business; or has the capacity to affect significantly AHF's financial standing;
- (4) auditors;
- (5) Chair of the Finance and Governance Advisory Committee; or

- (6) in relation to tax matters – in addition to any of the above, a senior member of AHF's finance team (Finance Manager or CFO) and a registered tax agent of AHF.

6.4.2 Externally:

- (1) ASIC;
- (2) APRA; or
- (3) Australian Taxation Office, if the disclosure relates to AHF's tax affairs.

The Corporations Act also enables you to make a public interest disclosure or an emergency disclosure to a journalist or a member of parliament in certain limited circumstances, and subject to following strict statutory requirements. We recommend you contact our internal eligible recipients and seek independent legal advice before making an external report.

A disclosure to a legal practitioner to obtain legal advice or representation about the operation of the whistleblower laws is protected.

6.5 **Can I make an anonymous disclosure?**

Disclosures can be made anonymously. However to enable us to properly investigate and respond to disclosures, we encourage disclosers to provide their name when making a disclosure.

6.6 **Will my identity be kept confidential?**

Your identity (or information likely to lead to you being identified) will be kept confidential, except where:

- 6.6.1 you consent to this information being disclosed;
- 6.6.2 we need to disclose information (other than your identity) that is reasonably necessary for the purposes of investigating the disclosure – we will take reasonable steps to reduce the risk of you being identified;
- 6.6.3 we need to obtain confidential legal advice or representation; or
- 6.6.4 we need to disclose the information to prevent a serious and imminent threat to life, health or property.

We will keep files and records relating to disclosures confidential and store them securely.

6.7 How will we investigate disclosures

The way we will investigate a disclosure of Improper Conduct will depend on who raises the concern, the seriousness and nature of the conduct disclosed, and who receives the disclosure. The objective of an investigation is to determine whether there is evidence which substantiates the concern raised in the disclosure.

If the disclosure is appropriately dealt with under this policy, we will endeavour to:

- 6.7.1 investigate the disclosure within a reasonable period of time;
- 6.7.2 ensure that any investigation is confidential, fair and objective;
- 6.7.3 conduct a risk assessment on the likelihood of any negative treatment occurring to the discloser and to any employees mentioned in the disclosure;
- 6.7.4 avoid conflicts of interest in carrying out any investigation; and
- 6.7.5 keep information relating to disclosures (including the identity of the discloser) confidential, except as required by law and permitted under this policy.

The steps we take to respond to a disclosure may include:

- 6.7.6 determining whether the disclosure should be dealt with under this section 6, another section within this policy, or another policy (for example, in most instances, personal work-related grievances should be progressed under this policy as either a General Complaint or Serious Complaint);
- 6.7.7 determining the appropriate people to investigate the matter, which could include external investigators;
- 6.7.8 speaking to witnesses, reviewing other records, analysing the information and, if possible, speaking with the individual who has made a disclosure; and
- 6.7.9 deciding whether the disclosure is substantiated or not.

The outcome of an investigation will be reported on a confidential basis to the AHF CEO. If the disclosure relates to the AHF CEO, the outcome of the investigation will be reported on a confidential basis to the AHF Board Chair. If the disclosure relates to both the AHF CEO and AHF Board Chair, the outcome of the investigation will be reported on a confidential basis to another Director of AHF. Also, where possible, the person who has made the disclosure may be informed that the matter has been investigated and concluded. If the investigation substantiates the disclosure, AHF is committed to addressing any wrongdoing, to the extent practicable in the circumstances.

6.8 How do we ensure fair treatment of employees mentioned in a disclosure?

In addition to investigating disclosures in a confidential, fair and objective manner, we will endeavour to:

- 6.8.1 maintain the privacy of employees mentioned in a disclosure or to whom a disclosure relates; and
- 6.8.2 provide employees mentioned in a disclosure or to whom a disclosure relates, the opportunity to respond (where appropriate and subject to our requirements to maintain confidentiality).

6.9 What are the protections available to whistleblowers?

We will not engage in victimisation of whistleblowers. We will endeavour to ensure that our employees and contractors do not engage in victimisation of persons who are, or may be, whistleblowers.

If you consider that you have been victimised or subjected to detrimental treatment because you have made, or in the belief that you have made, or may make, a disclosure, you should immediately report this to a recipient in section 6.4 of this policy. You can also report victimising conduct under this section 6.

Detrimental treatment includes a wide range of negative conduct such as dismissal, demotion, altering an employee's position or duties to their disadvantage, harming or injuring a person, including causing psychological harm damaging a person's property, reputation, business or financial position or causing any other damage to a person. However it does not include reasonable management action to protect a person from detriment (for example reallocating duties or reporting lines) or to manage unsatisfactory performance of a person who is or may be a discloser.

If your complaint is not anonymous, we may also explore options such as taking leave or relocation while the disclosure is investigated.

If your disclosure is a protected disclosure as defined under the Whistleblower Protection Laws, these laws provide that:

- you cannot be subject to any civil, criminal or administrative liability, for making a protected disclosure;
- no contractual or other remedy may be enforced and no contractual or other right may be exercised against you on the basis of the protected disclosure;
- however you may be subject to civil, criminal or administrative liability for conduct that is revealed by the protected disclosure; and

- if the protected disclosure is to an external party as permitted under the Corporations Act, the information is not admissible in evidence against you in criminal proceedings, or in proceedings for the imposition of a penalty, except for proceedings in respect of providing false information.

If you have been victimised for making a protected disclosure under the Whistleblower Protection Laws or in the belief that you have, or may make such a disclosure, possible remedies available under the Whistleblower Protection Laws include reinstatement, compensation, an order prohibiting the victimisation or an apology. The victimiser can be ordered to pay substantial monetary fines or imprisoned. Protections for AHF's employees may also exist under the *Fair Work Act 2009* (Cth). These are enforceable as a matter of statute and do not form part of this policy.

If you have made, or are considering making a report, you can seek independent legal advice.

6.10 What are the consequences of contravention of whistleblower protections?

Civil and criminal penalties may apply to AHF and any staff members who contravene the Whistleblowing Protection Laws.

WE WILL NOT TOLERATE VICTIMISATION.

Any staff engaging in detrimental conduct will be subject to disciplinary action, including termination of their employment or engagement.

You may be liable to disciplinary or other form of appropriate corrective action if we conclude that you have made a disclosure maliciously and without having reasonable grounds to do so. The protections under the Whistleblower Protection Laws are not available if a disclosure is made without reasonable grounds and is deliberately false.

6.11 How will this policy BE made available?

This policy will be made available in accordance with section 5.14 of this policy.

Training on this section 6 will be imparted regularly.

If you have any queries about this section 6, please contact the AHF CEO, the AHF Board Chair or another Director of AHF.

7. ROLES AND RESPONSIBILITIES

Every AHF stakeholder has a role to play in building a workplace that is safe for any person or entity to raise feedback, a concern or a complaint, or to report an incident. This Complaints and Whistleblowing Policy is available on the AHF website, as well as mechanisms and contact

details to lodge a complaint. This Policy is distributed to all AHF personnel including Board and Committee members, employees, volunteers, contractors, representatives and AHF partner personnel.

7.1 **AHF Board Directors** are ultimately accountable for this Policy and all AHF organisational policies. AHF Directors are responsible for:

- Guiding governance and culture of AHF through strategic leadership
- Demonstrating a commitment to a culture of that is safe for any stakeholder to provide feedback, raise a concern or complaint or report an incident
- Supporting the Chair and/or the CEO in Investigating serious complaints and providing a response

7.2 **The AHF CEO** has prime responsibility for upholding this Policy. Including:

- Developing, maintaining and monitoring effectiveness of AHF's complaint handling procedures.
- Demonstrating a commitment to a culture of that is safe for any stakeholder to provide feedback, raise a concern or complaint or report an incident
- Informing the Board of any concerns relating to complaints that may present a risk to AHF or its personnel
- Giving progress reports to the Board in relation to complaints (such as the number and nature of complaints received, the outcome of investigations, corrective action implemented, and any noteworthy trends that have been identified)
- With support from employees and key personnel, the CEO will ensure all AHF personnel (including Board and Committee members, employees, volunteers, contractors, representatives and AHF partner personnel) are aware of this policy and understand their responsibilities
- The CEO is the AHF Complaints Focal Point and is responsible for maintaining the complaints and incident reporting register

7.3 **AHF personnel** are responsible for:

- Understanding and following this policy and related procedures
- Ensuring their actions are in line with this policy

- Supervisors and Managers must ensure their personnel are made aware of this policy in induction and refresher training, especially the mandatory reporting requirements.
- All employees must acknowledge having read this policy as part of induction and refresher training.
- **AHF communications and marketing staff** are responsible for ensuring this policy and procedures are communicated and accessible to stakeholders, including the public, in key AHF publications and communication channels.
- **AHF's programs team** is responsible for working with partners to ensure partner personnel and primary stakeholders are encouraged and able to provide feedback and raise concerns, complaints or report incidents through accessible and appropriate mechanisms.

8. PUBLIC COMPLAINTS POLICY

AHF is a member of ACFID and adheres to the ACFID Code of Conduct. As such, AHF draws to the attention of its donors, supporters and members of the public that complaints can be made directly to ACFID if it is believed that AHF has breached any aspect of the ACFID Code of Conduct.

Complaints should be marked 'confidential' and sent to the Chair, ACFID Code of Conduct Committee:

- Emailed to code@acfid.asn.au
- Posted to 'Care Of ACFID, Private Bag 3, Deakin ACT 2600'

9. REVIEW OF POLICY

AHF's Complaints and Whistleblowing Policy will be formally reviewed every three years or sooner if required (for example if complaints are made about AHF's complaint handling, if accusations of retribution against whistleblowers or stakeholders are made, or if there are changes to legislation/regulatory requirements).

10. LEGISLATIVE AND REGULATORY FRAMEWORK

- Corporations Act 2001 (Cwth)

- ACFID Code of Conduct

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

11. KEY RELATED AHF POLICIES AND DOCUMENTS

AHF Code of Conduct

AHF Child Safeguarding Policy

AHF Child Safeguarding Code of Conduct

AHF Prevention of Sexual Exploitation and Abuse Policy

AHF Fraud and Anti-Corruption Policy

AHF Employee Handbook (HR Policies)

AHF Counter-Terrorism Policy

AHF Communications Policy

AHF Procedures Manual

ANNEX A - DEFINITIONS OF KEY TERMINOLOGY USED WITHIN THIS POLICY

Complaint refers to any grievance, suspicion, allegation, concern or report about an incident, activity or someone's behaviour.

Complainant means a person, organisation or its representative making a complaint.

Respondent is used in this Policy to refer to the person or organisation who the complaint is about.

Stakeholder refers to a person or group having an interest in, or benefiting from, AHF activities.

Serious Complaints and **Serious Incidents** may include (but is not limited to) conduct that:

- Breaches AHF's Code of Conduct, Child Safeguarding Policy, Child Safeguarding Code of Conduct, Prevention of Sexual Exploitation and Abuse Policy, Fraud and Anti-Corruption Policy, Counter-Terrorism Policy
- Is a civil or criminal offence or a breach of the law
- May result in miscarriages of justice to an individual or organisation
- Results in health and safety risk, including risks to the public as well as other employees
- The unauthorized use of funds or resources
- Is sexually, emotionally or physically abusive of clients and/or staff/volunteers. This includes all forms of sexual harassment
- Undisclosed conflicts of Interest
- Involves actions or behaviour that is an abuse of information, authority or position that poses a serious risk of any form of harm to AHF as an organisation, an AHF employee, beneficiary, volunteer, and/or contractor.

Complaints made by persons who are eligible Whistleblowers under section 6.2, and which amount to Whistleblowing Disclosures, are dealt with exclusively within section 6 of this policy.

Whistleblowing Disclosure

- Disclosures which are protected under the Corporations Act 2001 (Cth) and Taxation Administration Act 1953 (Cth), and which are dealt with exclusively within section 6 of this policy.

Whistleblower

- A person who makes a Whistleblowing Disclosure in accordance with section 6 of this policy.

ANNEX B - AHF COMPLAINTS HANDLING PROCEDURES

COMPLAINT	ENQUIRY
<p>LOGDE A COMPLAINT</p>	<p>The following are not considered complaints:</p> <ul style="list-style-type: none"> ● Enquiries about AHF's work or requests for information ● Minor concerns or complaints that may be based on a misconception or insufficient information that can be readily addressed by AHF. If the complainant is satisfied with the response, the complaint may be considered an enquiry ● Requests to unsubscribe or be removed from our database ● Complaints against one or more employees of a third party organisation (e.g. not AHF or one of our partners) ● Complaints relating to ongoing legal proceedings
<p>HOW TO REPORT</p>	<p>Any grievance, suspicion, allegation, concern or report about an incident, activity or someone's behaviour.</p> <p>A concern or complaint may be made by any stakeholder, including (but not limited to) AHF and/or partner Board and Committee members, employees, volunteers, contractors, representatives, donors, members of the public, government authorities, or a person affected by or participating in AHF projects or activities.</p>
<p>TREAT AS SERIOUS COMPLAINTS & INCIDENTS</p>	<p>To AHF CEO, AHF Chair or any AHF staff member:</p> <ul style="list-style-type: none"> ● info@ahf.org.au (managed by staff) ● complaints@ahf.org.au (managed by CEO (and Acting CEO when CEO on leave)) ● Phone (+612)94381822 ● Online form ● Mail: PO Box 553, Crows Nest NSW 1585, Australia <p>Partner or Community Stakeholders should contact AHF CEO, AHF Board Chair or AHF Head of Programs via:</p> <ul style="list-style-type: none"> ● Email: info@ahf.org.au (managed by staff) ● Email: AHF CEO, complaints@ahf.org.au (managed by CEO (and Acting CEO when CEO on leave)) ● Phone (+612)94381822 ● Online form ● Mail: PO Box 553, Crows Nest NSW 1585, Australia <p>Any suspected or actual incident, concern or allegation involving: CHILD ABUSE & EXPLOITATION; SEXUAL MISCONDUCT; FRAUD & CORRUPTION; TERRORISM; BULLYING, HARASSMENT, DISCRIMINATION; OR ANY CRIMINAL ACTIVITY will be treated as a SERIOUS INCIDENT and immediately escalated to AHF CEO, or AHF Chair (if the incident involves the CEO).</p> <p>All AHF stakeholders are required to report Serious Complaints and Serious Incidents</p> <p>Complaints made by persons who are eligible Whistleblowers under section 6.2 of AHF's Complaints & Whistleblowing Policy, and which amount to Whistleblowing Disclosures, are dealt with exclusively within section 6 of the policy.</p>

ACFID Breach: Any stakeholder may report a complaint concerning AHF's non-compliance with ACFID's Code of Conduct to: ACFID Code of Conduct Committee, c/- ACFID, Private Bag 3, Deakin ACT 2600; or code@acfid.asn.au

Last updated: 25 May 2021. Note these procedures may be updated more frequently than the full policy (which requires AHF Board approval).

Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

ANNEX B: AHF COMPLAINTS HANDLING PROCEDURES: **Making a complaint**

HOW to make a complaint

Complete AHF online complaints form
australianhimalayanfoundation.org.au/complaints-policy/

Tell your supervisor, AHF Head of Programs or AHF contact (info@ahf.org.au)

Contact AHF CEO (Complaints Focal Point):
complaints@ahf.org.au (monitored by CEO/ Acting CEO)*
PO Box 553, CROWS NEST, NSW 1585
+612 9438 1822

AHF will treat complaints confidentially wherever needed and possible.
AHF will prioritise the safety and protection of any victim/ survivor.
AHF will protect whistleblowers.

HANDLING a complaint

Information we will ask you:

Details of your concern (dates, names, locations etc)
Whether anyone is in danger
How you wish to be contacted
Your name and contact details (unless you choose to remain anonymous)

We will Communicate:

Confirmation of receipt of your complaint (written 5 days; oral immediately)
Requests for more information
Support options for you

Process - We will assess your complaint and:

tell you whether a formal investigation will occur
advise you of the process and timelines
Conduct/ enable the investigation

CLOSING a complaint

You will be updated when:

the investigation (if applicable) is complete, we have an outcome, or the matter is closed
We aim to resolve complaints within 30 days and will inform you otherwise

If you are not satisfied with the outcome **you can appeal** the decision to:

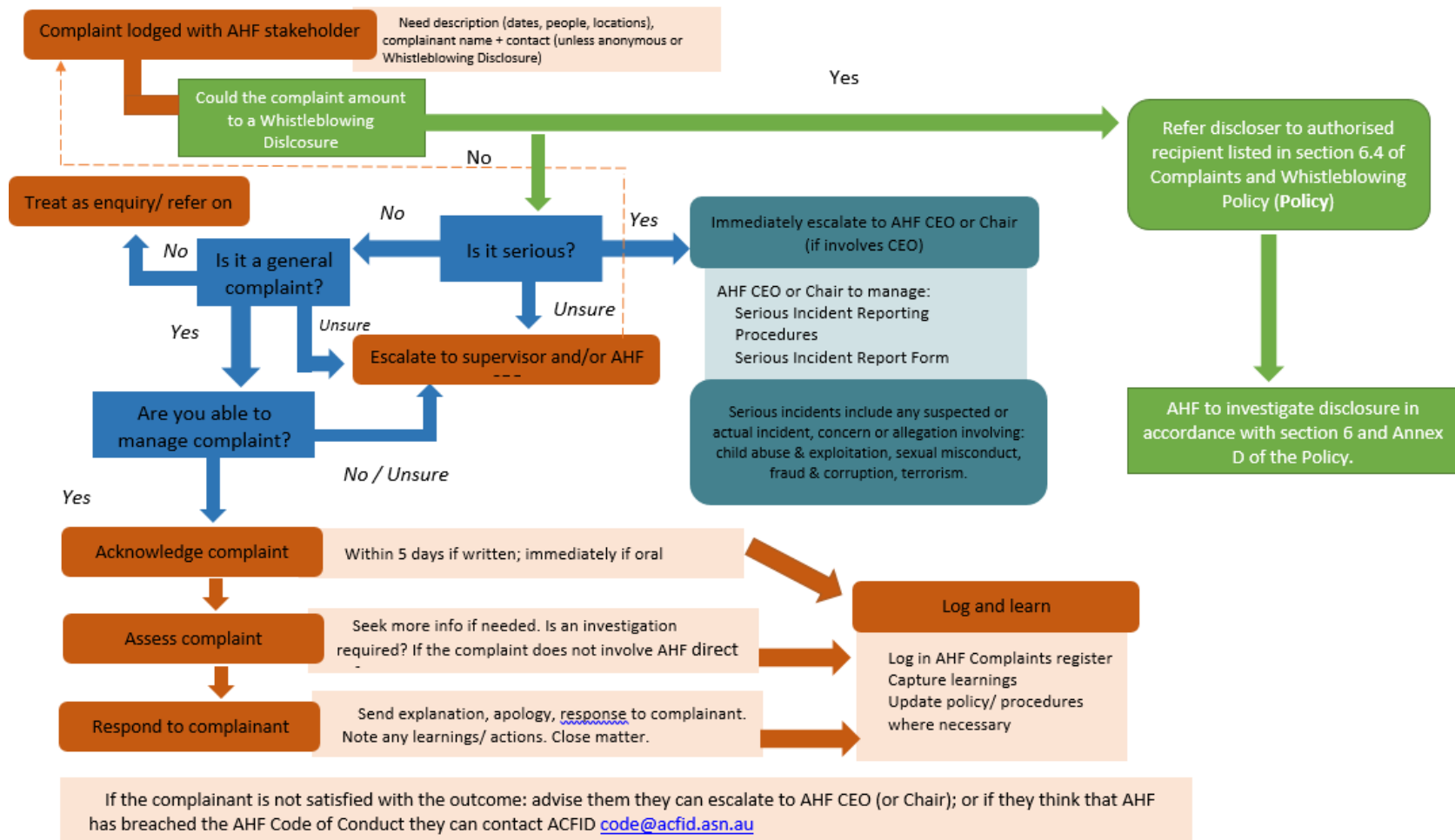
AHF CEO: complaints@ahf.org.au;
PO Box 553, CROWS NEST NSW 1585
AHF Chair: Po Box 553, CROWS NEST NSW 1585

If you feel AHF has breached the ACFID Code of Conduct you can contact ACFID at code@ACFID.asn.au

Last updated: 25 May 2021. Note these procedures may be updated more frequently than the full policy (which requires AHF Board approval).

Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

ANNEX B: AHF COMPLAINTS HANDLING PROCEDURES: Responding to a complaint



Last updated: 25 May 2021. Note these procedures may be updated more frequently than the full policy (which requires AHF Board approval).
Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

ANNEX C – SERIOUS INCIDENT REPORTING PROCEDURES

Serious Incidents include any suspected or actual incident, concern or allegation involving: CHILD ABUSE & EXPLOITATION; SEXUAL MISCONDUCT; FRAUD & CORRUPTION; TERRORISM; BULLYING, HARASSMENT, DISCRIMINATION; OR ANY CRIMINAL ACTIVITY

Complaints made by persons who are eligible Whistleblowers under section 6.2 of AHF’s Complaints & Whistleblowing Policy, and which amount to Whistleblowing Disclosures, are dealt with exclusively within section 6 of the policy.

- **Anyone** can raise a concern, make a complaint or report an incident to AHF about something they have experienced or witnessed.
- It is **mandatory** for all AHF and Partner Board and Committee members, employees, volunteers, contractors and representatives to report below:

A	<u>WHAT</u> TO REPORT?
	<ul style="list-style-type: none"> • All concerns related to the safety of children and young people. • Any incident, concern or allegation of child abuse, sexual exploitation and abuse. • Any suspicions or incidences of inappropriate behaviour towards others that could be associated with sexual grooming, exploitation or trafficking. • Inappropriate use of the Foundation’s photographic equipment or computers, including evidence of child pornography. • Any suspected or actual behaviour or activity relating to child abuse, sexual exploitation and abuse, fraud, corruption, bribery, terrorism. • Any suspected or actual criminal behaviour of activity. • Any suspected or actual breach of AHF’s: Code of Conduct, Child Safeguarding Policy, Child Safeguarding Code of Conduct, PSEA Policy, Fraud and Anti-Corruption Policy, Counter-Terrorism Policy, Conflict of Interest Policy. <p>Note: reports can be made about anyone associated with AHF and its programs including Board and Committee members, employees, volunteers, contractors, representatives and AHF partner personnel, or anyone else acting on behalf of AHF.</p>

B	<u>WHEN</u> TO REPORT? - <u>immediately</u>
	<ul style="list-style-type: none"> • When an incident or concern has been raised, it must be reported immediately (as soon as practicable if communication is restricted). This can be done on behalf of somebody else and may only involve referring a suspicion. • It is the responsibility of personnel to promptly <u>report</u> a breach (not to investigate it).

Last updated: 25 May 2021. Note these procedures may be updated more frequently than the full policy (which requires AHF Board approval).

Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

C	HOW AND TO WHOM?
	<ul style="list-style-type: none"> ● Promptly report verbally or in writing (on paper or in an email) to the most senior staff member on site (or phone if no other staff on site). Keep a dated diary entry outlining the details of the conversation, as well as the person’s name to whom you made the report. ● Senior staff member to immediately advise AHF CEO (or AHF Chair if incident concerns the CEO) and key staff within partner organisation as per its own reporting process. ● <i>Distance the alleged perpetrator.</i> The best interest of the victim or complainant may warrant standing down the alleged perpetrator if a volunteer or employee (with full pay to recognise entitlement to just processes) until the matter is closed. ● Ask the person affected by the incident whether they would like a support person present whilst the incident is documented (by most senior staff member on site). Ensure the support person understands the importance of confidentiality. ● If the alleged perpetrator is the guardian (or anyone else close to the child), there should be a clear process to exclude this person from the interview process that involves the child. ● Complete serious incident form in as much details as possible - treat it as highly confidential. ● Where safe to do so, and when in accordance with the wishes of the complainant/survivor, all alleged sexual abuse or physical assault incidents should be reported through the correct local law enforcement channels. Only record minimal information and refer to the police.

D	INVESTIGATION	
	<p>In liaison with the relevant employee and/or partner representatives, and in consultation with a representative from the AHF Board, the CEO will investigate the situation, discuss the allegations and decide upon the next step. This may involve any or all of the following:</p> <ul style="list-style-type: none"> ● Reporting to local police / child protection authorities / Australian Federal Police (AFP); ● Reporting to DFAT within 24 hours if the project is supported by DFAT or any project is in breach of DFAT minimum standards. ● Reporting any suspected or actual terrorist threat or activity to the national security hotline, the AFP and to DFAT if the matter relates directly or indirectly to DFAT funding. <p>Inquiries and investigations cannot involve the individual(s) who are the subject of the allegation. This also must not include any individual/s who may have a personal relationship with or conflict of interest, relating with the person who is the subject of the concern or allegation.</p>	
	<p>POSSIBLE STEPS IN INVESTIGATION</p> <ul style="list-style-type: none"> ● Conduct additional interviews with the person/s who made the allegations, other witnesses to gather more information; ● Conduct interview/s with the alleged offender; ● Gather other relevant evidence when possible; 	<p>POSSIBLE OUTCOMES OF INVESTIGATION</p> <ul style="list-style-type: none"> ● Take no further action; ● Further education on the CS Policy, PSEA Policy and AHF Codes of Conduct; ● Formal warning and monitoring; ● Transfer to alternative duties;

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Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

<ul style="list-style-type: none"> • If deemed appropriate, suspend the person whom the allegations have been made against from duties with pay during the investigation. 	<ul style="list-style-type: none"> • Dismissal/end of contract/end of volunteer engagement. • Referral to law enforcement.
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ALLEGATION AGAINST YOU

If an allegation is made against you, then you must inform your line manager immediately. You should also promptly complete an incident report form recording the details as you recall them and send to AHF CEO and key staff within partner organisation as per its own reporting process.

E	ALLEGATION AGAINST PARTNER PERSONNEL	POSSIBLE OUTCOMES OF INVESTIGATION
	<ul style="list-style-type: none"> • If AHF receives a complaint about partner personnel, AHF expects the partner to respond quickly and appropriately. • AHF should assist the partner organisation to ascertain its obligations under local law to refer the matter to the police or other statutory authorities for criminal investigation where appropriate. • Where initial enquiries indicate that further investigation is necessary, and where appropriate, AHF should work with the partner to address the issue through an appropriate independent investigation. • If the investigation concludes that an abuse has occurred, specific actions will be agreed with the partner and the partner will ensure they are implemented, as well as provide AHF with the necessary evidence, confirmation and assurances. 	<ul style="list-style-type: none"> • Take no further action; • Further education on CS Policy, PSEA Policy, and AHF Codes of Conduct; • Formal warning and monitoring; • Transfer to alternative duties; • Dismissal/end of contract/end of employee/ stakeholder engagement. • Suspension of agreement with partner pending implementation of specific actions; • End of agreement with partner.

FAIRNESS AND CONFIDENTIALITY

- AHF will treat all concerns raised seriously. All parties, including the accused, will be treated with respect, fairly and justly. All reports will be handled professionally, confidentially and expediently. They may be shared only as required by law or to facilitate investigation.
- The identity of the victim, the person reporting the incident and the alleged person will be kept confidential throughout the reporting and investigation processes.
- The person against whom the allegation is made will be given the opportunity to present their view of the events in question. AHF will withhold its findings and determination until the investigation is fully completed.

Last updated: 25 May 2021. Note these procedures may be updated more frequently than the full policy (which requires AHF Board approval).

Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

RECORD KEEPING

- All records of incidents, investigation procedure and outcomes will be kept by AHF.
- At the request of the complainant or survivor, AHF will de-identify complaints.

REPORTING AND DISCLOSURE BY A CHILD

- If a child discloses abuse, s/he must be taken seriously and treated with respect, care and concern.
- If the child requests that no-one be told of the matter, employees must seek advice from the most senior staff member on site who should consult with the AHF CEO and key staff within partner organisation as per its own reporting process on how the child can be supported and the disclosure process managed, ensuring the best interests of the child are carefully considered at all stages of the process.
- Every effort will be made to ensure and protect the identity, rights and safety of the child throughout any investigation.

AHF: info@ahf.org.au (+612) 9438 1822

AHF CEO, Angela Ford, angela@ahf.org.au ; complaints@ahf.org.au

AHF Head of Programs, corinne@ahf.org.au; info@ahf.org.au;

AHF Chairperson, Simon Balderstone, simon@waysandmeans.com.au

DFAT - ANCP funded projects: ancp@dfat.gov.au

DFAT CS Incident: childwelfare@dfat.gov.au

DFAT PSEA incident: seah.reports@dfat.gov.au

DFAT Fraud incident: fraud@dfat.gov.au

DFAT Terrorism incident: counter-terrorism.resourcing@dfat.gov.au

OTHER key contact details for serious incidents:

ACFID: code@acfid.asn.au

ACNC: advice@acnc.gov.au, 13 22 62

National Security Hotline (Terrorism): 1800 123 400 (inside Australia) +61 1300 123 401 (outside Australia)

AUSTRALIAN FEDERAL POLICE: (02) 9286 4000

Last updated: 25 May 2021. Note these procedures may be updated more frequently than the full policy (which requires AHF Board approval).

Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

ANNEX D – WHISTLEBLOWING DISCLOSURE PROCEDURE

Note: This Annex D is intended to be used in conjunction with section 6 of AHF’s Complaints and Whistleblowing Policy, and cannot be relied upon to the exclusion of section 6.

A	<u>WHAT TO REPORT? - IMPROPER CONDUCT</u>
	<p>You can make a disclosure if you have reasonable grounds to suspect that the information concerns the following Improper Conduct:</p> <ul style="list-style-type: none"> ● Misconduct in the provision of AHF’s services – this may include fraud, negligence, default, breach of trust, breach of duty, deliberate or negligent breaches of laws; ● Improper state of affairs or circumstances in the provision of AHF’s services – this may include unethical conduct; conduct which may cause financial loss to AHF or be detrimental to AHF’s services; systemic or serious breaches of AHF’s policies, including breaches of AHF’s Code of Business Ethics, Anti-bribery and Corruption Policy, etc; ● Conduct by AHF, or our officers or employees that breaches any relevant laws or regulations; ● Conduct by AHF, or our officers or employees, that represents a danger to the public or the financial system; ● Misconduct or an improper state of affairs or circumstances, in relation to our tax affairs; ● Breach of conduct that is prescribed by regulations; and ● Any attempt to delay or conceal reporting any of the above conduct.
B	<u>WHO CAN MAKE A WHISTLEBLOWING DISCLOSURE</u>
	<ul style="list-style-type: none"> ● Current and former officers, employees and associates; ● Current and former contractors, suppliers and agents, and their current and former employees (and their relatives); and ● Family members or spouses of any of the above individuals. <p>Note: Whistleblowing Disclosures can be made anonymously. However, disclosers are encouraged to reveal their identity when a Whistleblowing Disclosure, to enable AHF to properly investigate and respond.</p>
C	<u>HOW AND TO WHOM?</u>
	<p>INTERNALLY</p> <ul style="list-style-type: none"> ● Chief Executive Officer (CEO) or the AHF Board Chair; ● Officers – this includes directors and the company secretary;

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Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

- Senior managers – this includes a person (other than a director or company secretary) who makes, or participates in making, decisions that affect the whole, or a substantial part, of AHF’s business; or has the capacity to affect significantly AHF’s financial standing;
- Auditors;
- Chair of the Finance and Governance Committee; or
- In relation to tax matters – in addition to any of the above, a senior member of AHF’s finance team (Finance Manager or CFO) and a registered tax agent of AHF.

EXTERNALLY

- ASIC;
- APRA; or
- Australian Taxation Office, if the disclosure relates to AHF’s tax affairs.

D INVESTIGATION		
<p>The way AHF will investigate a disclosure of Improper Conduct will depend on who raises the concern, the seriousness and nature of the conduct disclosed, and who receives the disclosure.</p> <p>In investigating the disclosure, AHF will endeavour to:</p> <ul style="list-style-type: none"> • Maintain the privacy of employees mentioned in a disclosure or to whom a disclosure relates; and • Provide employees mentioned in a disclosure or to whom a disclosure relates, the opportunity to respond. 		
<p>POSSIBLE STEPS IN INVESTIGATION</p> <ul style="list-style-type: none"> • Determining whether the disclosure should be dealt with under section 6 of the Complaints and Whistleblowing Policy, or under a different section or policy; • Determining the appropriate people to investigate the matter, which could include external investigators; • Speaking to witnesses, reviewing other records, analysing the information and, if possible, speaking with the individual who has made a disclosure; and • Deciding whether the disclosure is substantiated or not. 	<p>POSSIBLE OUTCOMES OF INVESTIGATION</p> <ul style="list-style-type: none"> • The outcome of the investigation will be reported to AHF’s CEO, or the Board Chair (if disclosure relates to the CEO), or another Director (if the disclosure relates to the CEO and Board Chair). • In the event that the disclosure is substantiated, AHF will address any wrongdoing, to the extent practicable in the circumstances. 	

Last updated: 25 May 2021. Note these procedures may be updated more frequently than the full policy (which requires AHF Board approval).

Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

ANNEX E – SERIOUS INCIDENT REPORT FORM

HOW TO USE THIS FORM	
PURPOSE	<p>This form is to be filled out to report and/or respond to concerns in relation to any suspected or actual incident, concern or allegation involving: CHILD ABUSE & EXPLOITATION, SEXUAL MISCONDUCT, FRAUD, CORRUPTION or TERRORISM</p> <p>Complaints made by persons who are eligible Whistleblowers under section 6.2 of AHF’s Complaints & Whistleblowing Policy, and which amount to Whistleblowing Disclosures, are dealt with exclusively within section 6 of the policy.</p>
FREQUENCY	<p>It is mandatory for all AHF Board members, employees, volunteers, representatives and AHF partner Board members, employees and volunteers to immediately report concerns or allegations related to: child abuse and exploitation, sexual misconduct, fraud, corruption and terrorism. For any concern raised, AHF will immediately follow AHF Serious Incident Reporting Procedures.</p>
COMPLETED BY	<p>Australia: AHF CEO, AHF Chair or AHF Head of Programs Overseas: Most Senior Staff Member, CEO, Manager, Safeguarding Officer or AHF point of contact (as per partner’s own serious incident procedures)</p>
This document is to be treated confidentially.	

1. Name(s) of person reporting and contact details (if not confidential)	
Name:	Telephone:
Position:	Email:
2. Name(s) of Person completing this form (e.g., AHF CEO or Chair, or partner most senior staff member or point of contact (as per partner’s own serious incident procedures)	
Name:	Telephone:
Position:	Email:
Date and time the incident was reported you:	

Last updated: 25 May 2021. Note these procedures may be updated more frequently than the full policy (which requires AHF Board approval).

Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

3. Reporting Partner Organisation	
Partner Organisation:	Country:

4. Type of Allegation/ Incident / Concern	
Please circle, highlight or mark the most appropriate description(s) of alleged incident:	
<ul style="list-style-type: none"> ● Family/ Domestic Violence ● Sexual Abuse/Sexual Misconduct ● Sexual Harassment ● Physical Abuse ● Psychological Abuse ● Bullying ● Neglect 	<ul style="list-style-type: none"> ● Terrorism ● Fraud ● Bribery ● Corruption ● Criminal behaviour or activity ● Other: <i>(detail, e.g. domestic violence, child labour, child marriage)*</i>
Further details if known (date, time & place of incident/ when was report received?):	Other relevant details: (for example vulnerability, or disability factors):

5. Details of the Incident/s, or allegation, or match against proscribed terrorist list,
Provide details of incident/s, or match against proscribed terrorist list, or allegation:

6. Details of Person(s) / organisation(s) against whom the allegation has been made	
Name of organisation(s):	
Address:	

Last updated: 25 May 2021. Note these procedures may be updated more frequently than the full policy (which requires AHF Board approval).

Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

Contact details:	
Name of individual(s):	Sex:
Date of birth:	Nationality:
Contact details:	
Employer/ Partner/ Project:	
<p>Please circle, highlight or mark the most appropriate descriptor of the alleged perpetrator (you can mark more than one):</p> <ul style="list-style-type: none"> ● Representative of: <ul style="list-style-type: none"> ○ AHF ○ PARTNER ORGANISATION [name] _____ ● Australian Citizen or Permanent Resident ● Employee ● Contractor including sub-contractor or consultant ● Volunteer/intern ● 	
<p>7. Details of Victim(s) / Survivor(s) <i>(leave this section blank if not applicable (e.g., organisational fraud))</i></p>	
Name (if not confidential):	Sex:
Date of birth:	Nationality:
Contact details:	
Age of the victim at time of alleged incident:	Was the victim a child at the time of the incident? Yes / No

Last updated: 25 May 2021. Note these procedures may be updated more frequently than the full policy (which requires AHF Board approval).

Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

<p>Is the victim/survivor in immediate danger or risk of harm? Yes / No</p> <p>If yes, what steps have been taken to remove the victim/survivor from harm?</p>
<p>Have any injuries been observed or reported?</p>
<p>Has the victim/survivor been assessed by a medical professional? If yes, provide details.</p>
<p>Have the victim/survivor wishes been considered and taken into account in any decisions or changes proposed or actioned to increase their safety? If yes, provide details.</p>
<p>If the victim/survivor is a child, what consultation has taken place with the child's parents/guardians?</p>
<p>If the victim/survivor is a child, does he/she have siblings living in the same house? If yes, how many?</p>
<p>Have the siblings been assessed for safety? If yes, provide details and results of assessment.</p>

Last updated: 25 May 2021. Note these procedures may be updated more frequently than the full policy (which requires AHF Board approval).

Related policies: AHF Child Safeguarding Policy, Prevention of Sexual Exploitation and Abuse Policy, Fraud & Anti-Corruption Policy, Counter-Terrorism Policy, Complaints & Whistleblowing Policy.

Has the victim/survivor alternate placement been assessed for safety and appropriateness?

8. Name and contact details of witness (separate incident report form to be completed)

Name Witness 1:

Contact details Witness 1:

Name Witness 2:

Contact details Witness 2:

Add more lines if necessary

9. Further Details

Are local police, health professionals or another local authority aware of the incident/ allegation?
Yes / No

If the Police/ authority were contacted, please provide the following information:

Date:

Time:

Police/ Authority agency name:

Police/ Authority officer's name:

Police/ Authority officer's office location:

Police/ Authority officer's phone:

Have the Police/ Authority advised that a police investigation is required?* Yes / No

Name of Authority who provided this advice:

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*[*If yes, note in section 12 below that follow up is required to ensure police investigation happened, and police report obtained]*

Name and position of person responsible for follow up with police:

What other authorities have been informed?

Has DFAT been contacted if relevant?

Has the AFP (where relevant) been advised or consulted? If so, what is their response or proposed action?

What actions relating to the incident have already occurred?

10. Is there any other pertinent information for assessment or management of this incident?

11. Has an internal investigation been initiated? Yes / No

If yes, provide details:

Date:

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12. Note and track further information and actions:

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Name, Position and Signature of person reporting and date	
Name, Position and Signature of most Senior Staff member on site and date	
Name, Position and Signature of representative of partner organisation as per its own reporting process and date	
Name and Signature of AHF CEO (or AHF Chairperson if the incident concerns the CEO) and date	

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