

Feedback & Complaint Handling Policy

1. INTRODUCTION

Hagar Australia is committed to the highest standards of conduct and accountability. In seeking to be open and transparent in all aspects of its operations, Hagar Australia places value on its stakeholders at every level being able to express their feedback, concerns or complaints in a safe and trustworthy manner.

Hagar Australia acknowledges that a system for dealing with complaints in a timely and transparent manner is vital to support its value of Integrity. Furthermore, Hagar Australia is committed to creating an environment where stakeholders feel supported in making a complaint, knowing it will be investigated fairly and objectively, and determined in a timely and professional manner.

Hagar Australia is committed to ensuring there are mechanisms for all stakeholders in program countries, particularly those that are vulnerable, marginalised or excluded (such as girls, boys, women and men with and without disabilities), to be able to raise concerns or make complaints about Hagar Australia, its work, personnel, partners and/ or complaints mechanism.

2. PURPOSE

This policy is intended to:

- ensure Hagar Australia handles feedback and complaints fairly, efficiently and effectively.
- provide guidance on the key principles and concepts of Hagar Australia's feedback and complaint management system.

3. SCOPE

This policy applies to:

- Hagar Australia personnel (as defined)
- Contractors engaged by Hagar Australia
- Hagar Australia-funded partners (as defined)

Hagar Australia management will take steps to ensure that all Hagar Australia personnel, contractors and partners are made aware of their obligations under this policy.

This policy applies to receiving or managing feedback and complaints from the public, clients and other stakeholders made to or about Hagar Australia or its partners, regarding their work, personnel and/ or feedback and complaint handling process.

4. HOW TO PROVIDE FEEDBACK OR MAKE A COMPLAINT

Hagar Australia has two main methods for capturing feedback, complaint or incident reporting information-

- *Website:* <https://hagar.org.au/reporting/> (Google Chrome can assist with webpage translation)
- *Phone:* +61 3 9416 1960

If the feedback/ complaint is about the Executive Director, Hagar Australia’s Board Secretary can also be contacted through the ‘Whistleblowing’ form on the website. Complainants may choose to remain anonymous but this may hinder Hagar Australia’s ability to investigate.

Where a complaint does not fall within the scope of this Policy, for example the complaint is about an employee of another organisation or government department, Hagar Australia will make every reasonable effort to direct the person to the appropriate recourse or reporting avenue.

For an alleged breach of the Australian Council For International Development’s (ACFID) Code of Conduct, a complainant may make a complaint directly to the ACFID Code of Conduct Committee (<https://acfid.asn.au/content/how-make-complaint>).

To report serious concerns or alleged incidents that may relate to child safeguarding, sexual exploitation, abuse and harassment; fraud and corruption (including conflict of interest and terrorism financing), or a whistleblowing report, please visit Hagar Australia’s website (<https://hagar.org.au/reporting/>) and select the relevant category, or refer to Hagar Australia’s Incident Reporting Procedure.

4. PRINCIPLES

An effective feedback and complaint handling system must be modelled on the principles of fairness, accessibility, responsiveness, efficiency and integration into organisational culture.

5. ROLES AND RESPONSIBILITIES

Hagar Australia expects personnel and contractors at all levels of the organisation to be committed to fair, effective and efficient feedback and complaint handling. The following table outlines the nature of the commitment expected at different levels and the way that commitment should be implemented:

<i>Who</i>	<i>Commitment</i>	<i>How</i>
Executive Director & Board Chair	Promote a culture that values complaints and their effective resolution	<ul style="list-style-type: none"> • Report to the Board on Hagar Australia’s feedback and complaint handling. • Encourage all personnel to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.

		<ul style="list-style-type: none"> • Regularly review reports about feedback and complaint trends, and issues arising from feedback/ complaints. • Encourage personnel to recommend system improvements.
Personnel whose duties include complaint handling (including Executive Director or Board Chair)	Demonstrate exemplary complaint handling practices	<ul style="list-style-type: none"> • Treat all people with respect, especially people who provide feedback/ make complaints. • Assist people to make a complaint, if needed. • Comply with Hagar Australia's Policy and associated procedures. • Provide regular feedback to the Board on issues arising from complaints. • Implement changes arising from individual feedback and complaints, and from review of trends.
All personnel	Understand and comply with Hagar Australia complaint handling practices	<ul style="list-style-type: none"> • Treat all people with respect, especially people who provide feedback/ make complaints. • Be aware of Hagar Australia's Feedback & Complaint Handling Policy and procedures. • Assist people who wish to make a complaint to access Hagar Australia's complaints process. • Be alert to complaints and assist personnel handling complaints to resolve matters promptly.

6. POLICY

6.1 Facilitate feedback and complaints

People focus: Hagar Australia is committed to seeking and receiving feedback and complaints about its work, systems, practices, procedures and complaints handling. Any concerns raised will be dealt with within a reasonable time frame (AS/NZ 10002). People making complaints will be:

- provided with information about Hagar Australia's complaint handling process and how to access it;
- listened to, treated with respect by Hagar Australia people and actively involved in the complaint process where possible and appropriate, and
- provided with reasons for Hagar Australia's decision(s) and any options for redress or review.

No detriment to people making complaints: Hagar Australia 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.

Anonymous complaints: Hagar Australia accepts anonymous complaints if there is a compelling reason to do so and will carry out a confidential investigation of the issues raised where enough information has been provided.

Accessibility: Hagar Australia will ensure that information about how and where complaints may be made to or about the organisation or its partners is well-publicised on Hagar Australia's website in accessible language.¹ Hagar Australia will ensure that its systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/ or resolution of their complaint, Hagar Australia will communicate with them through their representative if this is requested. Anyone may represent a person wishing to make a complaint with their consent (for example, an advocate, family member, legal or community representative, member of Parliament, another organisation).

Charges: Providing feedback or making a complaint to Hagar Australia via the organisation's website or social media page is free. Phoning Hagar Australia, however, may incur call costs.

6.2 Acknowledge and respond to feedback and complaints

Hagar Australia understands that the following elements are the basis for acknowledging and responding to feedback:

- *Early resolution* – resolved at first contact; an appropriate explanation or apology may be required.
- *Responsive* – within five business days of receipt for ordinary matters. For more urgent/ serious matters, escalation will be immediate and appropriate, commensurate with the urgency and/ or seriousness of the matter.

Hagar Australia is committed to managing people's expectations and will inform them as soon as possible of the following:

- the complaints process
- the expected timeframes for action
- the progress of the complaint and reasons for any delay
- the need for referral/ redirection, if deemed appropriate
- their likely involvement in the process, and

¹ The language readability level of the <https://hagar.org.au/reporting/> webpages is at a 13-15 year-old reading level to particularly support reporting of incidents, feedback and complaints from children, people with learning difficulties/ intellectual disabilities and speakers of languages other than English.

- the possible or likely outcome of their complaint.

Hagar Australia will also advise people as soon as possible if the timeframe for responding to their complaint is unable to be met and the reason for the delay.

6.3 Manage and resolve the complaint

Hagar Australia commits to the following in managing and resolving complaints:

- *Objectivity and Fairness* – the application of integrity in an equitable, objective and unbiased manner. This includes conflict of interest (actual or perceived) and process reviews, conducted by a person other than the original decision-maker.
- *Flexible Response* – personnel empowered to resolve complaints promptly, flexible approaches to work or problem-solving that enhance accessibility, and seeking to consult and collaborate with people and/ or representatives making complaints.
- *Confidentiality* – protecting identities where practical and appropriate, and disclosing information only as permitted under privacy laws, secrecy provisions and/ or any relevant confidentiality obligations.

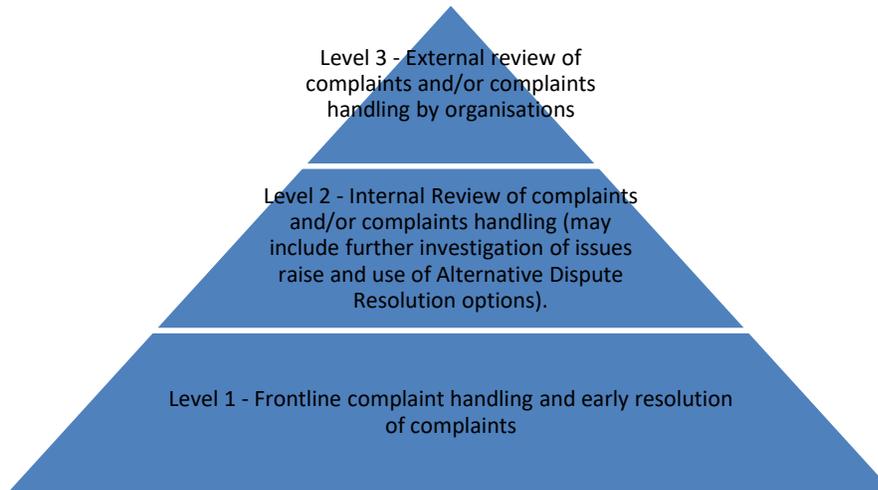
6.4 Manage the parties to a complaint

Hagar Australia's management of complaints is guided by the following principles:

- *Complaints Involving Multiple Parties* – where multiple organisations are involved, work with all parties to ensure clear and coordinated communication. Subject to privacy/ confidentiality considerations, information-sharing and communication between organisations will be facilitated to ensure a timely response.
Note: Contracted or partnership work requires the partner/ contractor to have an accessible and comprehensive complaints mechanism but Hagar Australia may also receive complaints concerning partners/ contractors.
- *Empowerment of Personnel* – Hagar Australia personnel are empowered to implement the complaint management system, commensurate with roles and responsibilities, with feedback encouraged on system effectiveness and efficiency.
- *Alternative Avenues for Resolution* – complainants will be informed of internal and external review options (including relevant Ombudsman and/ or regulatory authority).
- *Managing Unreasonable Conduct by Complainants* – Hagar Australia aims to be accessible and responsive to all people providing feedback or complaints but success depends on:
 - Hagar Australia's ability to do its work and perform its function in the most effective and efficient way possible;
 - The health, safety and security of Hagar Australia personnel and contractors, and
 - Hagar Australia's ability to allocate resources fairly across all complaints it receives.

When people behave unreasonably in their dealings with Hagar Australia, their conduct can significantly affect the progress and efficiency of the organisation's work. As a result, Hagar Australia will take proactive and decisive action to manage any conduct that negatively and unreasonably affects the organisation and will support Hagar Australia personnel to do the same, in accordance with this Policy.

The three levels of complaint handling



Level 1 - Hagar Australia aims to resolve complaints at the first level, the frontline. Wherever possible, personnel will be adequately equipped to respond to complaints, including being given appropriate authority and supervision.

Level 2 - Where this is not possible, Hagar Australia may decide to escalate the complaint to the Executive Director (if the complaint has not been received by this person). This second level of complaint handling will provide for the following internal mechanisms:

- assessment and possible investigation of the complaint and decision(s) already made, and/ or
- facilitated resolution, where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties.

Level 3 - Where a person making a complaint is dissatisfied with the outcome of Hagar Australia's review of their complaint, they may seek an external review of this decision by, for example, the Australian Charities and Not-for-profits Commission (ACNC).

7. ACCOUNTABILITY & LEARNING

7.1 Analysis and evaluation of complaints

Hagar Australia will ensure that complaints are recorded in its Complaints Register so that information can be easily retrieved for regular reporting and analysis by management and the Board, including:

- the number of complaints received
- the outcome of complaints, including matters resolved at the frontline
- issues arising from complaints
- systemic issues identified, and
- the number of requests the organisation receives for internal and/ or external review of its complaint handling.

This will be used to make improvements. Both reports and their analysis will be provided to the Board for review, at least annually.

7.2 Monitoring of the complaint management system

Hagar Australia will regularly monitor its complaint management system to:

- ensure its effectiveness in responding to and resolving complaints, and
- identify and correct deficiencies in the operation of the system.

7.3 Continuous improvement

Hagar Australia is committed to improving the way it operates, including management of the organisation's complaint management system. To this end, it will:

- support the making and appropriate resolution of complaints
- work towards best practice in complaint handling
- recognise exemplary complaint handling by personnel
- regularly review the complaint management system and complaint data, and
- implement appropriate system changes arising out of this review.

8. ORGANISATIONAL IMPLEMENTATION

8.1 Internal Operations

Hagar Australia's internal controls are to:

- Provide Hagar Australia's Feedback and Complaints Handling Policy to all Hagar Australia personnel and contractors, and take steps to ensure they understand the Policy.
- Make Hagar Australia's Feedback and Complaints Handling Policy available on the 'Reporting' page of the organisation's website.

- Include 'Complaints Register Review' as a standing Board bi-monthly meeting agenda item to monitor complaints.

8.2 Hagar Australia Funded Partners and Programs

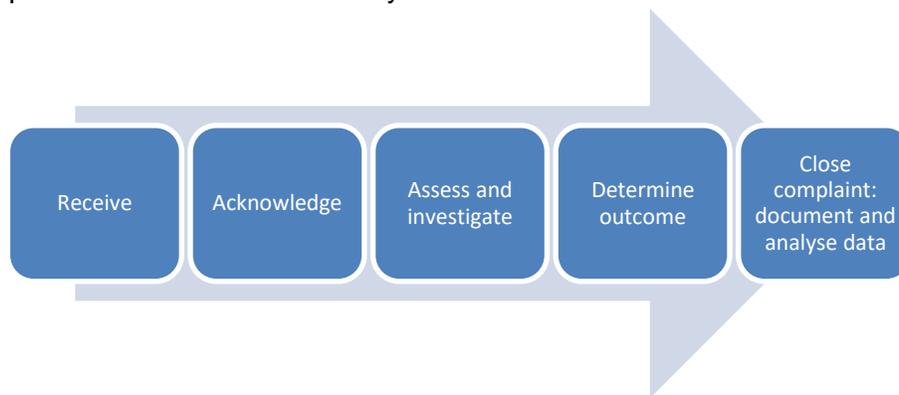
All Hagar Australia funded partners are expected to act in accordance with the principles outlined in this policy. Non-compliance may lead to suspension or termination of funding arrangements.

Hagar Australia's programmatic controls are to:

- Forge partnerships that promote accountability and transparency, supported by partnership agreements that reflect the principles and requirements in this policy, and are discussed with partners.
- Ensure that Hagar Australia-funded partners develop and implement their own Hagar Australia-compliant feedback and complaints handling policy with clear reporting and investigation procedures, or formally adopt Hagar Australia's Feedback and Complaints Handling Policy. The reporting procedure should be displayed in local languages in each office and discussed with clients and communities, within 6 months of signing a partnership agreement with Hagar Australia.
- Support partners in their compliance with complaints handling requirements, including regularly assessing capacity, explaining partnership and personnel obligations, as well as regular monitoring and review by Hagar Australia.

9. PROCESS FOR HANDLING FEEDBACK AND COMPLAINTS

This diagram provides an overview of the system:



In line with the above diagram, Annex 2 provides the process that Hagar Australia follows for all information received through its various reporting channels, including phone, email, Hagar Australia's website, mail and in person.

10. DEFINITIONS

Term	Definition
Hagar Australia personnel	Hagar Australia's Board of Directors, employees (full time, part-time and casual) and volunteers.
Hagar Australia-funded partners	This includes Hagar International, its Program Offices and other entities engaged to perform any part of a Hagar Australia-funded activity. These entities have agreed roles and responsibilities monitored by Hagar.
Complainant	A person, organisation or its representative making a complaint.
Complaint	An expression of dissatisfaction made to or about Hagar Australia, its work, personnel or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required (AS/NZ 10002:2014). As well as complaints being made directly to Hagar Australia, remember that some complaints (or at least negative comments) may be made on social media.
Complaint handling/management system	All policies, procedures, practices, personnel, hardware and software used by Hagar Australia in the management of complaints.
Dispute	An unresolved complaint escalated either within or outside of Hagar Australia.
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about Hagar Australia, its work, personnel or complaint handling system where a response is not explicitly or implicitly expected or legally required.
Grievance	A clear, formal written statement by an individual staff member about another staff member or a work-related problem.

11. RELEVANT LEGISLATION

Hagar Australia personnel, contractors and Hagar Australia-funded partners must adhere to local and international laws. These include Australian Commonwealth, state and territory laws, and international conventions and local laws in the countries where Hagar Australia works.

12. RELATED POLICIES AND PROCEDURES

- Child Safeguarding Policy
- Prevention of Sexual Exploitation, Abuse & Harassment Policy
- Prevention of Fraud & Corruption Policy
- Prevention of Terrorism Financing Policy
- Conflict of Interest Policy
- Privacy Policy
- Bullying, Harassment & Discrimination Policy
- Whistleblowing Policy
- Workplace Management Guide
- Incident Reporting Procedure

13. POLICY REVIEW

This policy will be reviewed at least every three years, or as required, incorporating lessons learned.

Contact:

For questions about this policy, contact Hagar Australia's Executive Director on +61 3 9416 1960.

Annex 1: Hagar Australia Code of Conduct

In keeping with its vision and values, Hagar Australia is committed to maintaining the highest degree of ethical conduct amongst its personnel, representatives and visitors. The Hagar Australia Code of Conduct provides to Board members, staff, consultants/ contractors, volunteers, representatives and visitors to Hagar Australia-funded projects overseas guidance on the mandatory standards of personal and professional conduct required of a representative of Hagar Australia at all times. These standards, in conjunction with all Hagar Australia policies, should inform decision-making that exemplifies Hagar Australia's values of Respect, Integrity, Compassion and Excellence; as well as transparency and accountability. Acknowledging the above, in my role with Hagar Australia,

I WILL-

- Uphold the **integrity** and **reputation** of Hagar Australia by ensuring that my professional and personal conduct is consistent with the organisation's values and standards.
- Contribute to a **safe, fair, inclusive, equitable and collegial work environment** free from harassment and discrimination, where all people are treated with respect and dignity.²
- Comply with Australian and local **legislation** (including child³ and adult labour laws), and immediately disclose all charges, convictions and other outcomes of any offences that relate to exploitation and abuse (particularly of children), terrorist activity, financial misconduct and/or discrimination, including those under traditional law; which occurred before or during my association with Hagar Australia.
- Comply with all Hagar Australia policies and **immediately report** any concerns or allegations of wrongdoing, exploitation and abuse (particularly of children); policy non-compliance, and/or breaches of this Code of Conduct to <https://hagar.org.au/reporting> and Hagar Australia's Quality Officer (Safeguarding & Reporting Focal Person) or Executive Director on +61 3 9416 1960. Please note: Making an allegation known to be false is considered a breach of this Code of Conduct and will be treated accordingly.
- Maintain an environment in which Hagar Australia personnel, partners, representatives, visitors, the people who are participants in, and are directly affected by, Hagar Australia-funded projects know expected standards of behaviour and how to **raise complaints and concerns without fear** of reprisal, harassment or victimisation.
- Be **accountable** for my behaviour and not place myself in a position where there is a risk of allegations being made, particularly avoiding actions or behaviours that could be perceived by others as exploitation and/or abuse.
- Wherever possible, ensure that **another adult is present** when working near children and adult beneficiaries⁴ (the 'two adult rule').

² Regardless of sex, gender, age, language, ethnicity, ability, sexual orientation, intersex status, religious or political beliefs, educational level, professional skills, work experience, cultural and socio-economic background.

³ A 'child' is any person under the age of 18 years.

⁴ 'Beneficiaries' or 'primary stakeholders' are the women and men, boys and girls who Hagar Australia seeks to support and are participants in, and are directly affected by, Hagar Australia-funded development initiatives.

- Exercise due care in all matters of official business and not disclose any **confidential information** received in the course of exercising official duties unless that disclosure has been authorised by Hagar Australia, or is required by law.
- Protect the organisation from **fraud, theft, waste and misuse** of resources.
- Be sensitive to **local values, culture and customs** when engaged in international contexts on behalf of Hagar Australia.
- Respect the **environment** by engaging in environmentally-friendly work practices.

Regarding children & adult beneficiaries:

- Be a **positive role model** and provide a **welcoming, inclusive and safe environment** for all children, young people and adult survivors.
- Encourage **open communication** between children, young people, parents and Hagar personnel, and allow children and young people to participate in the decisions that affect them.

When photographing or filming a child or adult survivor, or using their images for work-related purposes:

- Take care to ensure **local traditions** or restrictions for reproducing personal images are adhered to before photographing or filming a child or adult survivor.
- Obtain documented **informed consent**⁵ from the child and parent(s) or guardian(s) of the child, as well as adult survivors, before photographing or filming a child and/ or adult survivor; and inform them of their rights to have a support person present, to withdraw consent at any point, to access information about them and seek its correction (if desired, unless there are legal or safety reasons to prevent this), and to make a complaint to the Hagar Program Office Executive Director, <https://hagar.org.au/reporting> or the Australian Council For International Development (ACFID) at code@acfid.asn.au (marked 'Confidential').
- Ensure photographs, films, videos and DVDs present child and adult survivors in a **dignified and respectful manner**, and not in a vulnerable or submissive manner. Child and adult survivors should be adequately clothed, and not in poses that could be seen as sexually suggestive.
- Ensure images are **honest representations** of the context and facts.
- Ensure all images of child and adult survivors are obscured with **name changes**, no identifying **background features**, Global Positioning System **tracking** turned off and **stored securely**, in accordance with Hagar International's Communications Policy.
- Ensure file labels, meta data or text descriptions do not reveal **identifying information** about a child or adult survivor when sending images electronically or publishing images in any form.

Regarding Prevention of Sexual Exploitation, Abuse & Harassment (PSEAH):

- Inform the Executive Director or Board Chair if I become engaged in a **personal relationship** which may be perceived as inappropriate or exploitative.

⁵ Taking steps, in local language, to ensure that contributors (the people sharing their stories) understand: 1) Why Hagar wishes to document stories about them; 2) Who the audience is likely to be; 3) How their stories may be used now and in the future; 4) How their stories will be stored, how long for and how they will be destroyed.

Regarding conflicts of interest:

- Avoid (where possible), disclose and manage any actual, potential or perceived **conflicts of interest**.
- Notify of any known or perceived form of **corruption** and not offer, promise or accept bribes.
- Declare any financial, personal or family (or close intimate relationship) **interest** in matters of official business which may impact on the work of Hagar Australia.
- Refuse or return any **gift**, however minor, that appears to be given with an expectation of reward or influence.
- Seek permission before agreeing to being nominated as a **prospective candidate** or other official role for any political party.

Regarding the safety, health & welfare of others:

- Adhere to all **health and safety requirements** at my location of work.
- Comply with any **local security guidelines** overseas and be pro-active in informing management of any necessary changes to such guidelines.
- Behave in a manner which **avoids any unnecessary risk** to the safety, health and welfare of myself and others, including partner organisations and communities with whom we work.

Regarding use of information, assets & resources during my engagement with Hagar Australia:

- Notify Hagar Australia immediately if I become aware of **Hagar Australia property**, resources or funds being used other than for their authorised purposes.
- Ensure that I consider **value for money** (spending funds economically, efficiently, effectively and ethically) when procuring assets and resources on behalf of Hagar Australia.
- Ensure that I use the intellectual and physical **property, assets and resources** entrusted to me by Hagar Australia in a **responsible manner**, including treating and maintaining them with due care, securing them against theft and misuse, and accounting for all money and property.

I WILL NOT-

- Seek to make contact, spend time with and/or **develop relationships** with children, young people or adult beneficiaries outside of Hagar Australia-related work and work hours.
- Act in a way that shows unfair and **differential treatment** of children or adult beneficiaries, including through the provision of gifts, payment or inappropriate attention. This includes providing payment to another person to solicit any form of advantage or sexual favour from a child or adult beneficiary.
- Invite unaccompanied children or adult **beneficiaries into private residences** or other private location, unless they are at immediate risk of injury or in physical danger.
- **Hold, kiss, cuddle or touch** a child or adult beneficiary in inappropriate, unnecessary or culturally insensitive ways.
- Use **language or behaviour** (towards children and/or adults) that is harassing, abusive, sexually provocative, inappropriate, discriminatory/exclusionary or generally intended to shame, humiliate, belittle, degrade or exploit.
- **Misuse Hagar Australia property**, information or my status through my engagement with Hagar Australia for personal gain.

- Work under the influence of **alcohol** or use, or be in possession of, **illegal substances** on Hagar Australia premises or accommodation.
- Use computers, mobile phones, video cameras, photographic cameras or other technology inappropriately to **exploit or harass children**, in particular; or access and/or disseminate exploitative material, including but not limited to pornography or depictions of child abuse, through any medium.

Regarding children:

- Condone or engage in **behaviour that is illegal and/or unsafe**, including giving or allowing children to use illegal drugs, alcohol or restricted substances.
- Do things of a **personal nature** that a child can do for him/herself, such as assistance with toileting or changing clothes.
- Smack, hit, assault or **physically punish** children.
- Engage children in **sexual relationships** or any form of sexual intercourse or activity, including paying for sexual services (transactional sex). Mistaken belief that a child is over 18 years of age is not a defence.
- **Sleep close to unsupervised children**, including in the same area or bed, unless absolutely necessary, in which case the supervisor's permission must be obtained and another adult should be present if possible (noting that this does not apply to an individual's own children).
- **Hire children** for domestic or other labour: which is inappropriate given their age or developmental stage; which interferes with their time available for education and recreational activities; or which places them at significant risk of injury.

Regarding Prevention of Sexual Exploitation, Abuse & Harassment (PSEAH):

- Engage in **sexual relationships** with program participants or beneficiaries. These relationships are inherently based on unequal power dynamics and undermine the credibility and integrity of Hagar Australia.
- Engage in any conduct that may be considered, or has the potential to be considered, **sexual exploitation, abuse or harassment**, including fraternisation.⁶
- Exchange money, employment, goods or services for sex (**transactional sex**), including sexual favours. This includes any exchange of assistance that is due to beneficiaries and a prohibition on engaging the services of sex workers even when it is legal to do so. This further prohibits the procurement of sex for others or the use of a third party to do so.
- Use Hagar Australia or partner organisation facilities, vehicles, personnel, or **resources** for the purpose of arranging or facilitating access to sex workers by any person, including visitors to Hagar Australia or partner offices or programs.

⁶ Any relationship that involves, or appears to involve, partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour. It could include sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations.

Regarding conflicts of interest:

- Allow personal interests, or the interests of any associated person, to **conflict with the interests** of Hagar Australia.
- Be involved in awarding benefits, contracts for goods or services, employment or promotion within Hagar Australia, to any person with whom I have financial, personal or family (or close intimate relationship) **interests**.
- Accept **significant gifts or any remuneration** from governments, communities with whom we work, donors, suppliers and other persons, which have been offered to me as a result of my engagement with Hagar Australia and which appear to have been offered with an expectation of reward or influence.

Regarding use of information, assets & resources during my engagement with Hagar Australia:

- Use **Hagar Australia property**, resources or funds other than for their authorised purposes.
- Use Hagar Australia IT equipment, software or e-mail and social media platforms to **engage in activity that is illegal** under local or international law, or that encourages conduct that would constitute a criminal offence. This includes any activity that intimidates or harasses any group based on protected characteristics, or that encourages extremism.

Breach of the Code of Conduct

The Code of Conduct forms part of all Hagar Australia personnel contracts and a breach of this Code may be grounds for disciplinary action, including dismissal,⁷ the ending of a relationship or contract with Hagar Australia, or the cancellation or ending of a visit to Hagar Australia, its partners and projects. Any breaches, if criminal in nature, will be reported to relevant law enforcement agencies, both in Australia and overseas, where it is safe to do so and in accordance with the wishes of victims/ survivors.

I declare that I have read and understood the Hagar Australia Code of Conduct, and agree to abide by its standards and behaviour protocols-

Name:

Signature:

Date:

⁷ A person will be dismissed after an investigation if a safeguarding incident is found to have occurred.

Annex 2: Reporting and Investigation Procedure

- 1) *Initial review:* Upon notification of a suspected, alleged or actual incident – see sidebar, the Report Receiver (Safeguarding Focal Person, Executive Director, or Secretary or Chair of the Board) of Hagar Australia will promptly carry out an initial review (see sidebar) and determine potential support needs of the victim/survivor (if relevant) and whether further investigation is needed – see sidebar. If further investigation of a safeguarding incident is required, the person accused will be suspended/transferred to other duties for the duration of the investigation. The needs of victims/survivors will be prioritised, including identifying a support person, accessing medical care, counselling, legal support and/or finding a safe place to stay. If related to financial wrongdoing, relevant records and information may be removed, and placed in a secure location with limited access, and the individual suspected of committing the incident prevented from accessing them.
- 2) *Legal support:* The Report Receiver will seek limited disclosure permission from the victim/survivor/report-maker and coordinate the investigation (see sidebar) with the appropriate Head of Hagar office, local law enforcement officials or external investigator, depending on whether the incident took place in Australia/overseas and the wishes of the victim/survivor, within 3 working days. Internal or external legal representatives may be involved in the process, as deemed appropriate.
- 3) *Incident substantiated:* If a suspicion or allegation is substantiated by the investigation, disciplinary action, up to and including dismissal (or termination of an individual’s right to work as a contractor or volunteer), will be taken by the Executive Director or Board Secretary, and communicated to the offender, victim/survivor/report-maker and the Board, using de-identified information. The Board will discuss further action to be taken. Regarding property, Hagar Australia will pursue every reasonable effort, including court-ordered restitution, to obtain recovery of any losses from the offender.

Where a case has been established, the matter shall be referred to local authorities. If an allegation is made in good faith but not substantiated by the investigation, no action will be taken against the report-maker and, where the investigation relates to an employee, their file will not contain any record of the allegation, investigation or report. Hagar Australia will reflect on learnings to improve its own and partner practices.

Actual or Alleged Incident

This may be related to child protection, sexual exploitation, abuse and harassment; fraud and corruption, health, safety and security; and/or breach of Hagar Australia’s Code of Conduct and/or any of its policies. It may also be in the form of whistleblowing.

Initial Review

Initial review will involve assessing the report (without pre-judgement) and determining the immediate needs of the people involved, and the organisation.

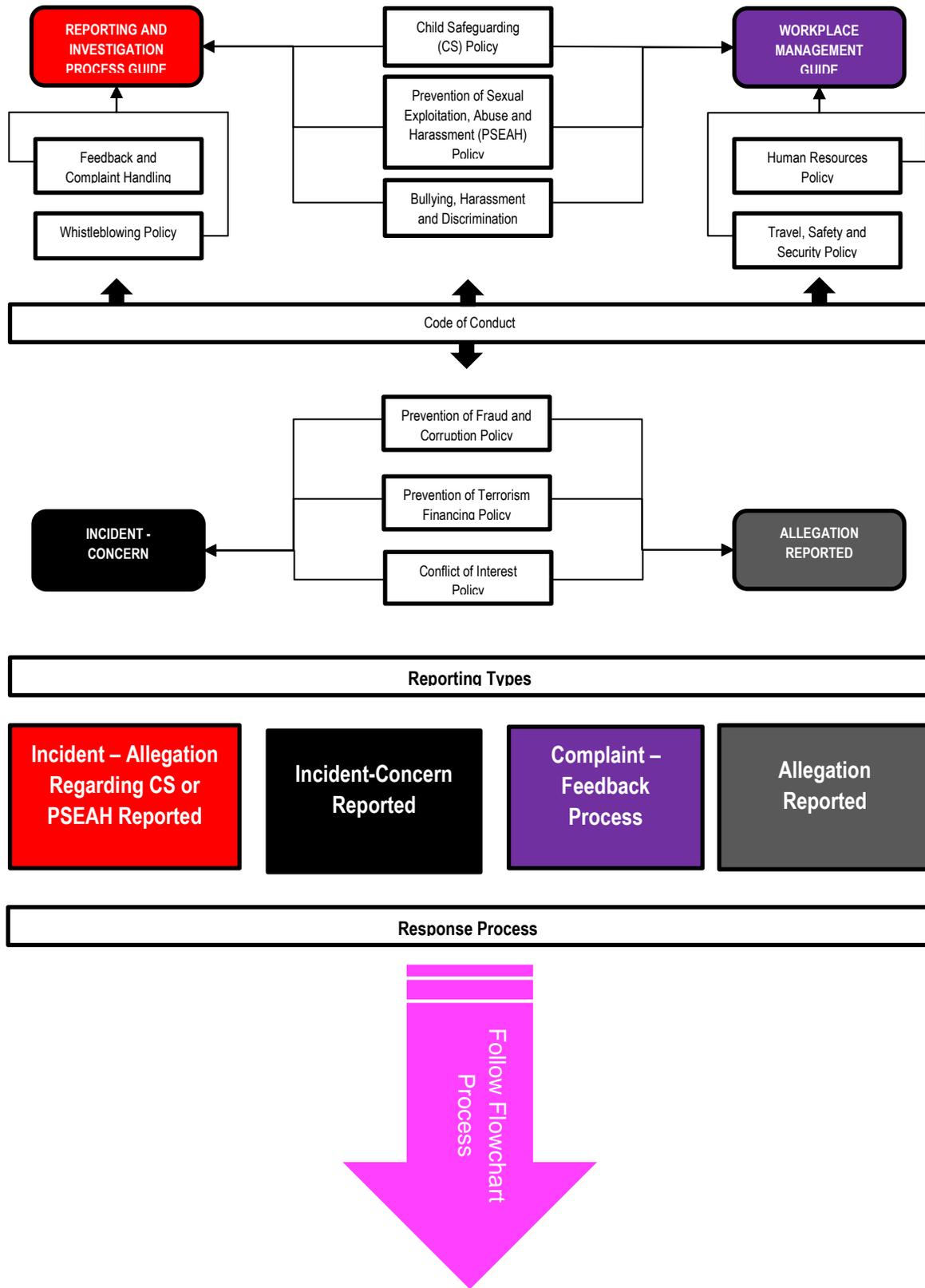
Further Investigation

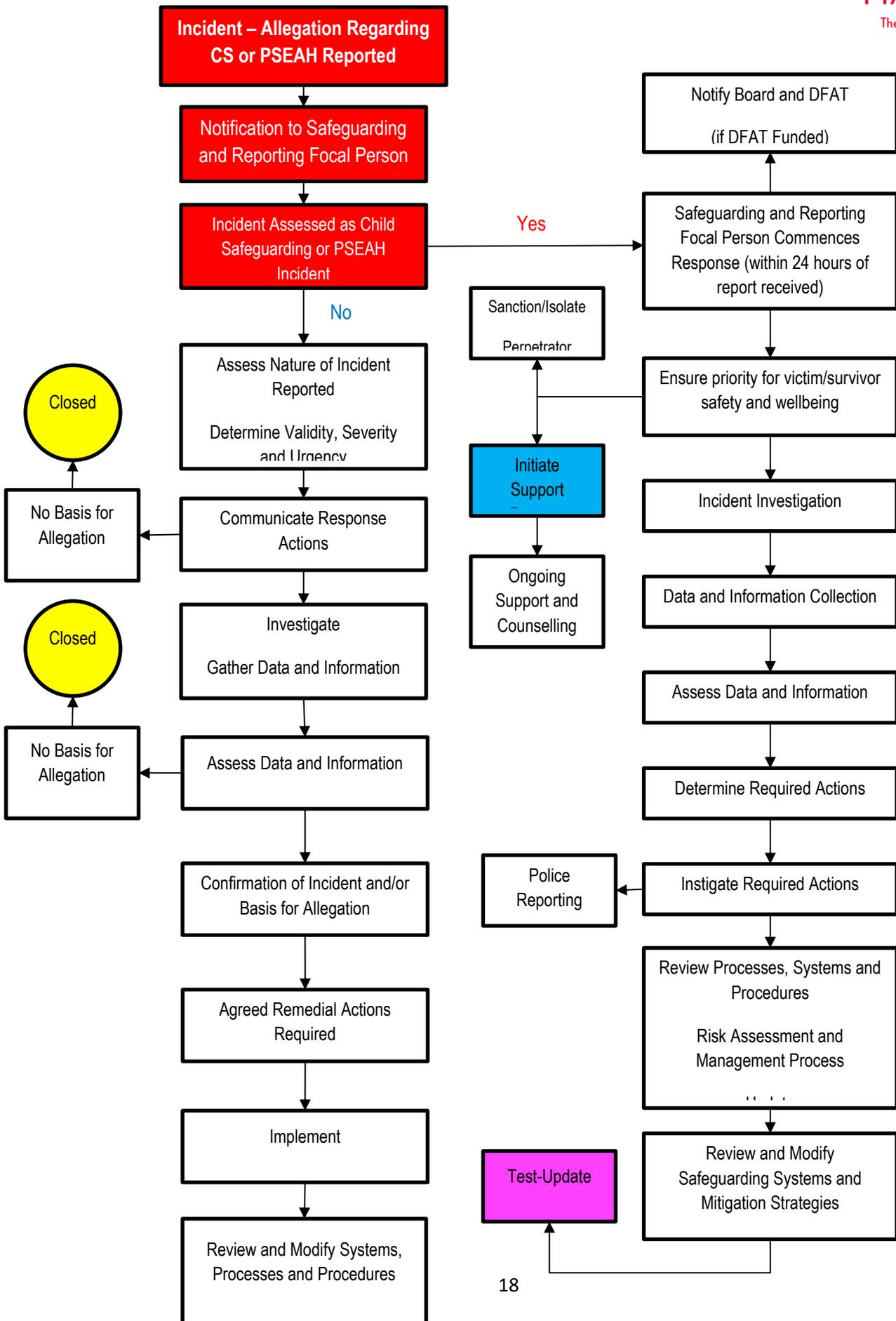
The threshold for ‘further investigation’ is if one or more of these answers is ‘yes’: ‘Does it require support outside of usual management processes?’, ‘Will business operations be affected for more than 24 hours?’, ‘Is it likely to become a critical incident or crisis?’, ‘Does the person responsible require support in making the decisions needed to contain or resolve the situation?’, ‘Is it medium risk or above?’, ‘Does it affect Hagar’s reputation?’

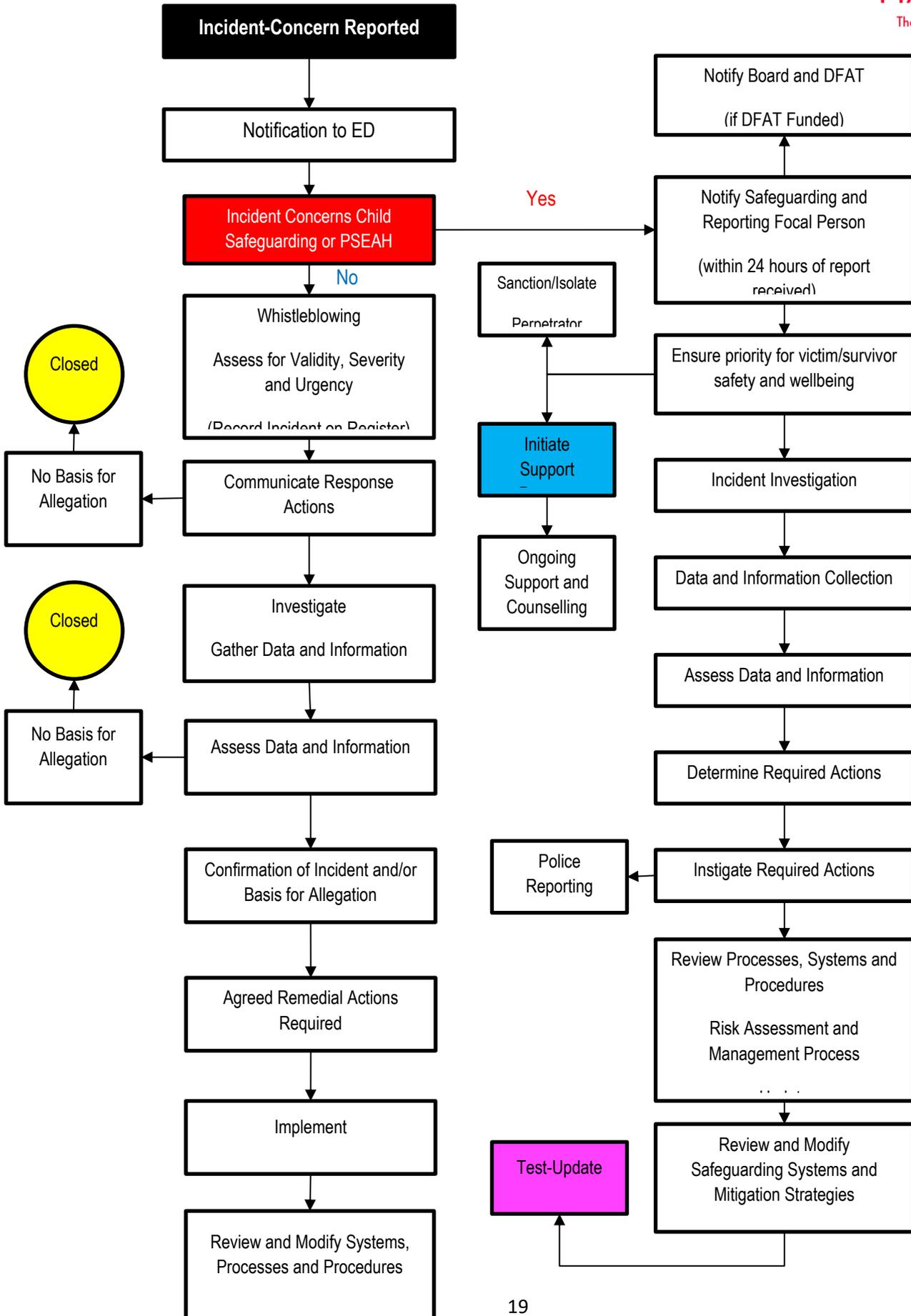
Investigation Process

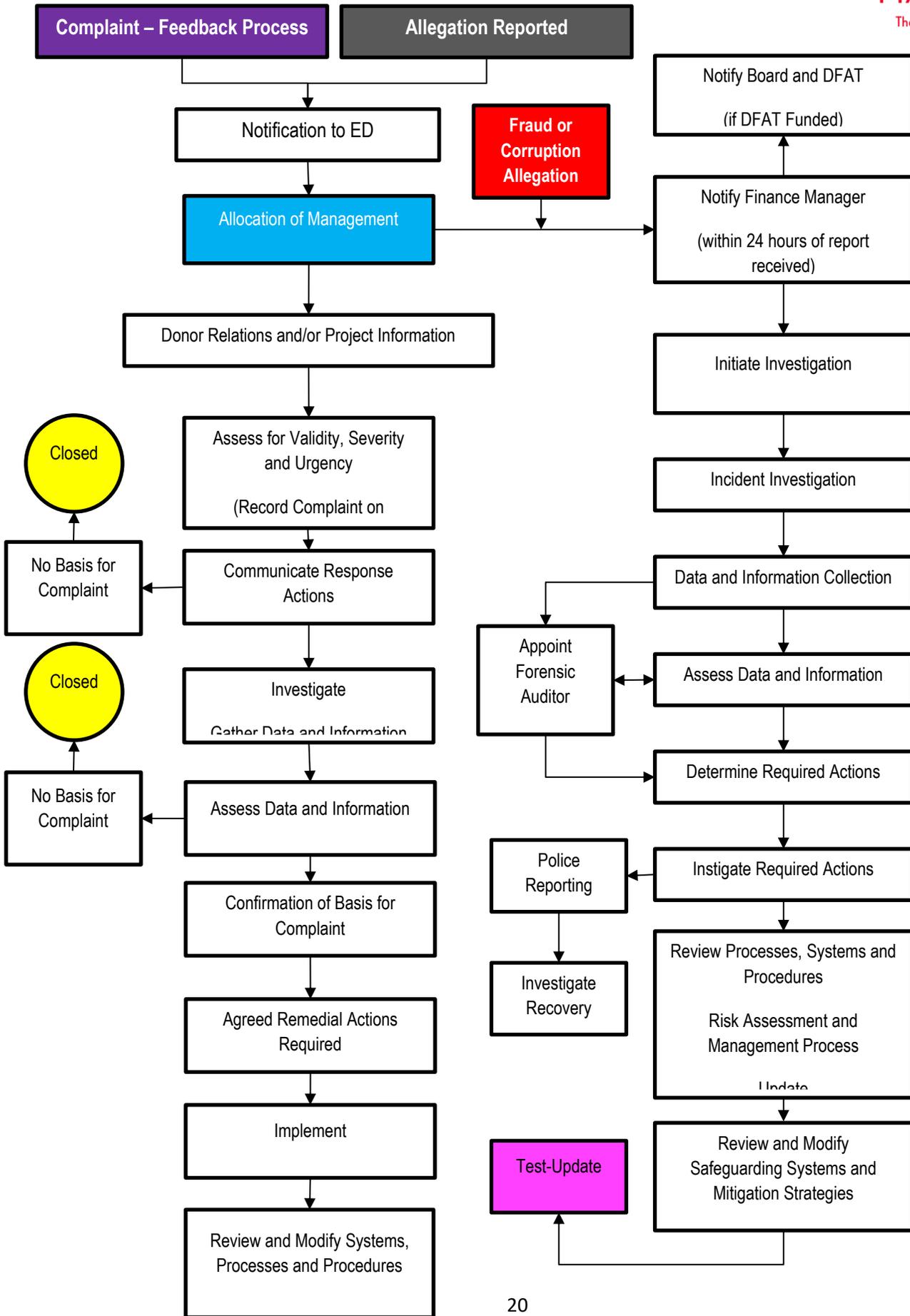
This investigation is to determine exactly what happened, when, where and who was involved/present by interviewing the person(s) who made the allegations and/or other witnesses to

Quick Reference Guide to Reporting & Investigation









Supporting Information

1) Reporting

Who has an obligation/ is able to report different matters?

			Reporting Obligation/ Ability to Report								
Incident/ Concern	Reporting Requirement	Report Timing	Personnel	Contractors	Representatives	Visitors	Funded Partners	Suppliers	Associates	Family of Whistleblower	Public
Child Safeguarding	Mandatory	Immediate	X	X	X	X	X				X
Sexual Exploitation, Abuse & Harassment (SEAH)	Mandatory	Immediate	X	X	X	X	X				X
Fraud & Corruption	"Must"	Prompt	X	X			X				X
Terrorism Financing	"Must"	Immediate	X	X			X				X
Whistleblowing			X	X	X		X	X	X	X	
Bullying, Harassment & Discrimination (BHD)			X	X	X	X					
Conflict of Interest (Col)	"Must"	Prompt	X	X							
Feedback/ Complaint			X	X	X	X	X	X	X		X

Approved by: Hagar Australia Board	Date Policy Took Effect: 28 th May, 2021
Review Date: 28 th May, 2024	Responsible Person: HAUS Board Secretary

Who should receive reports for different matters?

Incident/ Concern	Acknowledgement Response Time (Bus. Days)	Report Receiver							
		Safeguarding Focal Person	Executive Director	Board Secretary	Board Chair	ACFID	DFAT	Auditor	National Security Hotline
Child Safeguarding	1	X	X				X		
SEAH	1	X	X				X		
Fraud & Corruption	1		X	X					
Terrorism Financing	1		X	X					X
Whistleblowing	1		X	X				X	
BHD	1		X	X					
Col	1		X	X	X				
Feedback/ Complaint	5		X	X		X			

Ways to report

- Website: <https://hagar.org.au/reporting>
- Email: secretary@hagar.org.au
- Phone: +61 3 9416 1960
- In person

Process

1. *BHD & Col*: First step is to address the issue with the person concerned.
 - *BHD*: If not comfortable or behaviour continues, report to Executive Director or Board Secretary.
 - *Col*: Also report to Executive Director, Board Secretary or Chair.
2. Report receiver assesses report to determine whether formal, in-depth investigation is required, informs Board Chair of all serious matters and acts-
 - *Child Safeguarding, SEAH & BHD*: Also whether a child or adult is in immediate danger or has any other urgent needs;
 - *Whistleblowing*: Also whether the report qualifies for protection and whether a person is in immediate danger/ has other urgent needs;
 - *Fraud & corruption, terrorism financing & Col*: Also whether immediate request to the HAUS Finance Manager, HAUS bank and/or credit card company, and HI (if necessary) to freeze all resources is required. This may include funds to a partner organisation.

3. If report receiver determines an investigation is required, they will then decide:
- Nature and scope of the investigation
 - Person(s) within and/or outside of HAUS that may need to be consulted
 - Nature of any technical, financial or legal advice that may be required
 - Timeframe (considering any potential delays)

2) **Investigation**

What are the follow-up times of investigators for different matters (depending on their urgency)?

The Board Chair will be informed of all serious matters and, with whistleblower permission, may be involved in whistleblowing investigations:

Incident/ Concern	Follow-up Interview Response Time (Bus. Days)	Investigator							
		Safeguarding Focal Person	Manager/ ED	Board Sec	Board Chair	ACFID	DFAT	Auditor	National Security Hotline
Child Safeguarding	1-3	X	X		X		X		
SEAH	1-3	X	X		X		X		
Fraud & Corruption	1-3		X	X	X				
Terrorism Financing	1-3		X	X	X				X
Whistleblowing	3-5		X	X	X			X	
BHD	1-3		X	X	X				
Col	5		X	X	X				
Feedback/ Complaint	5		X	X	X	X			

What is the timeframe for reporting to institutional donors, particularly DFAT?

Incident/ Concern	DFAT Reporting (Bus. Days)	Contact	More Information (02) 6178 5100
Child Safeguarding	2	childwelfare@dfat.gov.au (use Child Incident Notification Form on website)	www.dfat.gov.au/childprotection
SEAH	2 (alleged incident) or 5 (alleged policy breach)	seah.reports@dfat.gov.au (use SEAH Incident Notification Form on website)	www.dfat.gov.au/pseah
Fraud & Corruption	5	fraud@DFAT.gov.au (use Fraud Referral Form at https://www.dfat.gov.au/about-us/publications/Pages/suspected-or-detected-fraud-referral-form)	https://www.dfat.gov.au/about-us/corporate/fraud-control/Pages/fraud-control
Terrorism Financing	2	counter-terrorism.resourcing@dfat.gov.au	https://www.dfat.gov.au/international-relations/security/counter-terrorism/terrorism-resourcing-risk-management-statement
Environmental & Social Safeguards	2	aidsafeguards@dfat.gov.au (any project that has/ likely to have a significant environmental impact should be identified early and referred for advice under the EPBC Act).	https://www.dfat.gov.au/aid/topics/aid-risk-management/Pages/environmental-and-social-safeguards

1. Report receiver contacts the report-maker and has a confidential discussion regarding (please de-identify notes)-
 - The investigation and resolution process (confidential, impartial, prompt, thorough)
 - Expected timeframe for action
 - The need for referral/ additional support (if necessary) and permitted investigation team (eg. ED/ Board Sec and external third party)
 - The report-maker's likely involvement in the process
 - Possible outcomes (report-maker will not be informed of details of disciplinary action)
 - *Child Safeguarding, SEAH, Whistleblowing, BDH & Feedback/ Complaints Policies*: What the report-maker and/ or the person involved (child/ adult/ associate of HAUS/ member of the public) want to happen (from possible outcomes).
 - Support the report-maker may need in relation to the report (what HAUS can do/ referral support)
 - *Whistleblowing*: Rights (eg. protection) and obligations (eg. non-disclosure); confidentiality (ie. how they wish to communicate- may be anonymous but investigation cannot proceed if HAUS unable to contact); permission to disclose identity to Board Chair/ ED to arrange work protection (if necessary) and/or specific third party for investigation purposes; help in identifying any aspects of their report that could inadvertently identify them.

- Avenues for review/ complaint:

Incident/ Concern	Board	ACNC	ASIC
Child Safeguarding	X	X	
PSEAH	X	X	
Fraud & Corruption		X	X
Terrorism Financing		X	X
Whistleblowing			X
BHD	X	X	
Col		X	
Feedback/ Complaint	X	X	

2. Report receiver:

- Assembles permitted investigation team
 - Arranges support for report-maker (including work modifications for whistleblower, if necessary)
3. Permitted investigation team reviews process and timeframe, and begins confidential, impartial, prompt yet thorough investigation (all notes with report-maker information de-identified).
 4. Report receiver updates report-maker at the start, part-way through, within 5 days of the investigation's completion and if timeframe is unable to be met, explaining any reasons for delay.
 5. Report receiver will advise individual who is subject of report regarding subject matter, as and when required by principles of natural justice and procedural fairness, and prior to action being taken; also offering appropriate support.
 6. The findings of the investigation will be documented, de-identified and reported to the Hagar Australia Board of Directors and relevant staff for learning and improvement of systems and processes.
- *Feedback & Complaints:* Review of Feedback & Complaints Register every Board meeting and annual process review, including number of complaints received, outcome and where resolved (eg. first point of contact), issues arising, systemic issues, and number of requests for review (internal/ external).

3) Sanctions

If it is determined that a person has engaged in wrongdoing, or a person or an organisation has failed to comply with Hagar Australia policies or Code of Conduct, then Hagar Australia will apply an appropriate sanction as follows:

Incident/ Concern	Warning	Counselling	Dismissal	Suspension	Transfer to other duties	Cancellation of contract	End of relationship	Termination of visit	Reporting to law enforcement (Aust &/or overseas)
Child Safeguarding			X			X	X	X	X
PSEAH			X			X	X	X	X
Fraud & Corruption			X	X	X	X	X		X
Terrorism Financing			X	X	X	X	X		X
Whistleblowing			X			X	X		X
BHD	X	X	X	X	X	X	X	X	X
Col			X			X	X		X
Feedback/ Complaint	X	X		X	X				

Sanctions apply for:

- Deliberately making a false allegation;
- Retaliating against anyone who raises a concern or makes a report in good faith, or assists/ participates in an investigation or other proceeding;
- *Child Safeguarding, SEAH, Fraud & Corruption, Terrorism Financing, Col*: Failing to report; or
- *Whistleblowing*: Breach of Whistleblower confidentiality.

Fraud & Corruption, & Terrorism Financing: HAUS will pursue every reasonable effort to recover losses and report any incident to relevant institutional donors, the ACNC and ACFID.

4) **Review**

After any incident, the systems strengthening questions that will be discussed at an operational level and reported on to the Board are:

1. How and why did the incident occur?
2. How can this be prevented in the future?