

Whistleblowing and Complaint Resolution Policy

1. Introduction

Mahboba's Promise Incorporated (MPI) is committed to upholding a high standard of honesty, integrity and accountability. In line with our Values and Code of Conduct, we promote and support a culture of respect and ethical behaviour, corporate compliance and good governance. Mahboba's Promise recognises the critical importance and value of listening and responding to concerns and complaints. We are committed to achieving the highest standard in every area of our work and protecting those we work with.

Mahboba's Promise encourages anyone who suspects illegal, unethical, corrupt, fraudulent or undesirable conduct by a board member, employee, volunteer, intern, or anyone who has business dealings with Mahboba's Promise, to report those concerns to Mahboba's Promise. We believe we are accountable to the people we aim to help through our work. All beneficiaries and stakeholders of our projects deserve the opportunity to be heard if they have a grievance or suggest improvements related to our work or conduct.

We are committed to handling feedback and complaints in a fair and transparent way. Every effort will be made to ensure feedback contributes to continuous improvement, and complaints are addressed.

2. Purpose

The purpose of this policy is to:

1. Encourage the reporting of matters that may have caused harm to individuals or financial or non-financial loss to MPI or damage to its reputation.
2. Help to ensure MPI maintains the highest standards of ethical behaviour and integrity.
3. Ensure those reporting complaints are protected, and that their identities are not disclosed.
4. Ensure MPI complaints are handled in a fair and appropriate manner.

3. Scope

This policy applies to any relevant complaint made to MPI, our partners or received as a member of the Australian Council for International Development (ACFID).

Complaints are accepted relating to all MPI staff, volunteers, partners and anyone acting on behalf of the organisation.

Complaints may be made by a person whom we service, who is affected by our services, a partner, a local organisation with which we work, our staff, volunteers, donors or a member of the public.

Any complaint is accepted by MPI that is made in good faith without malicious intent.

4. Principles

- **Accessibility:** We will ensure that our complaint handling process is as accessible as we can practically make it to all complainants.

- **Trauma-aware:** We will ensure our approach respects and is informed by the wishes of those who make complaints.
- **Responsiveness:** We will respond to complaints according to our predetermined timeframes.
- **Objectivity:** We will address all complaints in an equitable, fair and unbiased manner using evidence submitted by both the complainant and our personnel through the complaint-handling process.
- **Confidentiality:** We will observe strict confidentiality in complaint handling.
- **Accountability:** We will ensure that accountability for and reporting on the actions and decisions with respect to complaint handling is clearly established.

5. Training

All new staff, volunteers, contractors and management committee members are provided with training regarding our complaints policy during initial induction training with the organisation. Those staff who are directly responsible for receiving and handling complaints receive specialised training regarding our complaints policy and are trained to take into account language issues and cultural sensitivities when handling complaints.

6. Reporting

Complaints may be addressed to MPI by any means (email, spoken, letter, telephone, personal contact, in person at our office).

Contact details are as follows:

Mahbobas's Promise Inc
PO Box 6234
North Ryde NSW 2113
Australia Telephone: +61 2 9887 1665
Email: office@mahbobaspromise.org
Website: www.mahbobaspromise.org

Where an employee of Mahboba's Promise or partners believes in good faith on reasonable grounds that any other employee, volunteer, or contractor has breached any provision of the general law that employee **must** report their concern.

Where an employee of MPI or partners believes in good faith on reasonable grounds that any other employee, volunteer, or contractor has breached any provision of the organisation's constitution, its bylaws, its policies, or its code of conduct, or generally recognised principles of ethics, that employee **should** report their concern.

Every reasonable flexibility is afforded to complainant to submit a written, verbal or to raise concern/s in person. This may be to a colleague, supervisor, HR representative, the President or Board member.

7. Investigating

When a report is received, the Operations Manager must be notified. Each complaint report must be acknowledged and recorded in the complaints log (Appendix 2).

In consultation with the risk manager, the Operations Manager will determine whether there is sufficient information to enable an investigation to take place.

If an investigation is not pursued, this decision will be communicated to the Whistleblower / complainant within 7 days of the decision, where there is a possibility to contact them.

Where investigations are deemed appropriate, the Operations Manager must determine:

- The nature and scope of the investigation
- Who will conduct the investigation and whether that person should be external to CA. Investigations need to be independent of the Whistleblower, the individuals who are subject of the disclosure and the business unit involved.
- The nature of any technical, financial or legal advice that may be required
- A timeframe for the investigation.
- Take all reasonable steps to ensure the identity of the Whistleblower and the person/s who is/are the subject of the Whistleblower Report are kept confidential.

The appointed investigator will conduct a fair and objective investigation, as quickly as possible, and according to the principles of natural justice and procedural fairness. They will:

- Review and collate information provided and any other relevant information.
- Inform all persons who are the subject of the allegation and investigation and ensure they have the appropriate opportunity to respond. This must be done before making any adverse finding against them. MPI can decide when the most appropriate time is to inform them, especially when there is a risk of evidence being destroyed or harm to another person or property.
- Keep records of and store all information gathered in the investigation in a secure and organised location.
- Take all reasonable steps to protect the identity of the Whistleblower and any other individuals making disclosures or providing evidence.
- In the event the allegation relates to criminal offences and initial enquiries suggest the allegation may be upheld, immediate referral to an appropriate law enforcement organisation must be considered (depending on the location, context and legal framework the individual is operating in).

- Prepare a report as soon as reasonably practical that contains:
 - Findings of all relevant facts.
 - A determination as to whether the complainant's report is proven, not proven or otherwise.
 - Risks and any additional legally relevant considerations.
 - Recommendation/s as to follow-up actions.

Only when an allegation is upheld, the person accused is entitled to a presumption of innocence and to be treated accordingly. Steps will be taken to prevent further harm, including but not limited to reallocation of duties, change of location or suspension of the alleged perpetrator pending an outcome of the investigation.

8. Response

The investigative report will be provided to the Operations Manager, who will inform the President of the Management Committee.

Where an investigation identifies a breach of the Code of Conduct or other internal policies, appropriate disciplinary action will be taken, including possible termination or suspension of employment or engagement of the individual(s) involved in the misconduct.

If the report finds that there has been a suspected or an actual breach of the law, the President (with the support of the Management Committee and/or an international human rights lawyer) should refer the investigation to the relevant legal authority depending on the jurisdiction and penalty.

9. Protection

Information received under this policy will be kept confidential, and the identity of the whistle-blower or complainant, or any information that could identify them, will only be shared where:

- Written consent is provided.
- MPI is permitted or required to do so by law.

MPI has a legal obligation to protect the confidentiality of a whistleblower's identity. The release of information in breach of this policy will be regarded as a serious matter and may be the subject of disciplinary action up to and including dismissal or termination of engagement. It may also, in some circumstances, be an offence under the Corporations Act.

The whistle-blower Protection Officer shall be responsible for ensuring that the person suffers no employment-related disadvantage on account of their actions in this matter and to provide additional support for the person where necessary.

10. Responsibilities

It is the responsibility of the Office Manager to ensure that:

- Staff and volunteers are trained to take complaints.
- Access for complainants is clearly stated on the Mahboba's Promise website, annual reports and other relevant organisational collateral.
- Complaints are investigated and reported to the HR Director.

It is the responsibility of MPI to ensure that:

- This policy is available to all relevant people and partners in ways that account for language, disability and digital accessibility requirements.
- The policy is distributed at all MPI operated facilities and projects.
- All new partners are made sign and confirm a commitment to uphold the same or a higher standard outlined in this policy.
- All rights holders are informed and can access the policy and reporting mechanisms if required.

It is the responsibility of the staff, volunteers and partners to ensure that:

- Potential problems are identified early, action taken to manage, mitigate or remove the escalation of conflict or damaging behaviour before harm occurs and formal complaints are required.
- Maintain and preserve the behaviours and values expressed in the Code of Conduct.
- Complaints are handled in accordance with this Policy.

It is the responsibility of the Risk Manager to ensure that:

- The Complaints Log is reviewed annually and any lessons, training or compliance
- Issues related to this are addressed Adequate insurances are in place to avoid personal liability of Mahboba's Promise office-bearers, committee members and their agents.

It is the responsibility of the Senior Management Team and Board to lead by example, act swiftly, fairly and with clarity on any complaint. Organisational accountability and transparency are also maintained by ensuring quantitative complaints, their type and any action is reported in publicly accessible annual reports, while maintaining privacy and confidentiality.

Document Control

Risk Level:

High (Every two years).

Approval Date:

Operationally Approved 09/05/2023

Next Review Date:

09/05/2025

Responsible Position:

Operations Manage