

SPEAKING UP POLICY

Last updated 18 Nov 2020

Key Points

Anyone can make a complaint or express a concern.

We will treat your complaint or concern seriously and confidentially.

If you feel afraid to speak up, there are things we can do to help protect you.

1. Why this policy exists

At Caritas Australia, we are committed to receiving complaints or concerns from anyone, especially those most vulnerable. We provide ways to make a complaint that are safe, accessible and publicised.

We are committed to handling complaints in line with our guiding principles, that include transparency, responsiveness and confidentiality.

Complaints can be made by individuals or organisations in relation to any aspects of our work including international development work, humanitarian responses, advocacy work and community engagement activities in schools and parishes, as well as in our workplace and other settings). Complaints assist us to identify, address and report on any fraudulent, illegal or unethical conduct (including any sexual exploitation, abuse or harassment) in any of the work we support.

This policy is aligned to our Code of Conduct and meets our legal and regulatory obligations.

2. This policy applies to

This policy applies to anyone who makes a complaint, regardless of who they are or how the complaint is made, including:

- People inside the organisation
- People outside the organisation
- Our program partners and participants
- Others who wish to make a complaint or report

This policy covers three main categories of complaints:

- General complaints
- Sensitive complaints
- Whistleblower complaints

This policy does not cover:

- Enquiries about Caritas Australia's work or requests for information (please email questions@caritas.org.au)
- Requests to unsubscribe or be removed from our database (please email questions@caritas.org.au)

3. Definitions used in this policy

Below is a partial list of definitions (see Appendix 1 for a full list).

| When we use ... | we mean ... |
|-------------------------|--|
| we, us, our | Caritas Australia |
| you, your | Readers of this policy |
| Complaint | Any grievance, suspicion, allegation, concern or report about an incident or someone's behaviour. Complaints include general complaints, sensitive complaints or whistleblower complaints. |
| General complaint | A complaint from anyone who has observed, heard about or been directly affected by the actions of Caritas Australia or our partners, or who believes that Caritas Australia or its partners have failed to meet a specific commitment or obligation. |
| Sensitive complaint | A complaint that needs to be treated urgently and confidentially by senior employees within the organisation. A sensitive complaint can be made by anyone who has observed, heard about or been directly affected by the actions of Caritas Australia or its program partners. Sensitive complaints may include bullying and harassment between employees, or unlawful discrimination. |
| Whistleblower complaint | A complaint about wrongdoing such as fraud, corruption, abuse, misuse of resources, risk to health and safety etc. This may also be a sensitive complaint. |
| Mandatory reporting | The obligation of certain professional groups and community members to report incidents of abuse. At Caritas Australia, it is mandatory to report any concerns, suspicions or alleged incidents of child abuse or exploitation and/or any sexual exploitation, abuse or harassment in line with our PSEAH and Child Protection policies . It is also mandatory to report fraud. |
| Personnel | Any person doing paid or unpaid work for, or on behalf, of Caritas Australia including Australian-based employees, in-country employees, Board of Directors, Diocesan Directors, volunteers, contractors, sub-contractors and consultants. |
| Program partners | Individuals or organisations that Caritas Australia works with, accompanies and supports to deliver humanitarian and development programs or activities. |
| Reporter | A person who makes a complaint. |
| Whistleblower | A special type of reporter who is linked (directly or indirectly) to the organisation who reports a whistleblower complaint. Under Australian law, a whistleblower may be entitled to extra protection. |

4. Guiding Principles

While every complaint is different, we consistently use these principles:

4.1 Responsiveness

We will promptly let you that we have received your complaint. We will respond to complaints according to how urgent or serious they are. If somebody's safety or security is at risk, we will respond immediately and will escalate appropriately. We are committed to managing your expectations, and will inform you, as soon as possible, of the following:

- What will happen (the complaints process)
- When it will happen (the expected timeframes for our actions)
- How it is progressing (whether an investigation may take place, reasons for any delays and how you may be involved)

If we cannot deal with any part of your complaint, we will tell you (and if possible, we will advise you what you can do instead). If the complaint is about something that is not within the scope of our organisation, it will be referred to the relevant party (see section 5.3).

4.2 Accessibility

We promote safe and dignified ways of making a complaint. We can be contacted in multiple ways and we will let you know how. It doesn't cost any money to make a complaint. We work with our in-country employees and program partners to develop ways to make complaints that are safe, easily accessible, while being mindful of local contexts, culture and language (including low literacy).

4.3 People-focused and victim/survivor-centred

We put people first. We understand that making complaints can be difficult. We commit to a "do no harm" approach to our work. We prioritise the safety, rights, needs and wishes of all people whilst ensuring procedural fairness to all parties. We especially recognise the needs of those who are vulnerable or may be victims/survivors of harm.

We will provide you with information about how we handle complaints. We will: treat you with dignity and respect; actively involve the you in decision making; provide you with comprehensive information; protect privacy and confidentiality; and where required assist you to access other support services including health or psychological services and address any immediate protection assistance and or rehabilitation.

4.4 Confidentiality

We know people may feel safer to report a complaint if they know it will be treated confidentially. This means your identity (your name and other details) will not be shared, where possible and appropriate. It is also possible to make an anonymous complaint.

Sometimes we need to share some information with other people. Confidentiality means we share with the minimum number of people, and only with people who need to know ('need-to-know' basis).

4.5 Impartiality

Each complaint will be handled with integrity and without bias. We follow procedural fairness which means that all parties, including the respondent, are treated in a dignified way.

We will ensure that the person handling a complaint is different from any employee who is being complained about.

4.6 Zero tolerance of retaliation or punishment

We will take all reasonable steps to make sure that people making complaints are not negatively affected because a complaint has been made by them. In the case of someone making a complaint on your behalf (for example, a family member speaking up instead of you), we will do our best to ensure that you, and that person, are not affected.

4.7 Continuous improvement

We learn from complaints and concerns. We strive to prevent it happening again. By analysing complaints, we can identify where we can improve our programs, policies or service delivery. Trends and problems that require action can also be highlighted.

5. Policy Commitments

5.1 How to make a complaint

We have multiple ways of making a complaint that are easy to use.

5.1.1 Complaints Focal Point

You can make a complaint to the Complaints Focal Point in-person or via:

Email: confidential@caritas.org.au

Phone: 1800 02 44 13 (in Australia) and ask for the Complaints Focal Point.

Or any in-country CA office who will elevate your concerns to the Complaints Focal Point.

You can also make a complaint via the confidential external whistleblower service called [Stopline](#) (see 5.1.4 below).

5.1.2 Any employee

You can make a complaint to any Caritas Australia employee. They may consult with their direct manager or may contact the Complaints Focal Point directly to get advice on the next steps.

However, all sensitive or whistleblower complaints (including child protection, sexual exploitation, abuse or harassment or fraud) must be reported via confidential@caritas.org.au or the [Stopline](#) whistleblower service (see 5.1.4 below).

Some employees are designated as mandatory reporters for the purposes of child protection, (either through their role description or through their registration to a professional body).

5.1.3 To partners or our employees in-country

In the countries where we work, complaints can be made to program partners or Caritas Australia personnel in-country.

Sensitive complaints (such as child abuse or sexual exploitation) must be reported to confidential@caritas.org.au or to the [Stopline](#) whistleblower service.

Program partners and contractors have an obligation under their contracts with Caritas Australia to have processes in place to receive and manage complaints, and are required to follow these. We work with partners and personnel in-country to ensure that they:

- Understand their obligations to receive and manage complaints
- Provide multiple options for making a complaint that are easy to use and accessible including child-friendly ways.

- Make the process culturally appropriate
- Handle complaints in line with relevant organisational policies, procedures, contracts and the law
- Record and report where required to Caritas Australia

Receiving complaints and feedback from participants is important. It helps both our partners and us. It is also part of the monitoring and evaluation of programs or projects. We will continue to work with our partners to strengthen their own feedback and complaints mechanisms.

5.1.4 Stopline (external whistleblower service)

You can use the [Stopline](#) whistleblower service if:

- You feel uncomfortable reporting to the Complaints Focal Point, or
- If you have a whistleblower complaint, or
- If you wish to make an anonymous complaint

To remain anonymous, you can make a complaint to [Stopline](#) without sharing your name, or you can tell [Stopline](#) your name but ask them not to share your name with Caritas Australia. If you want to receive updates about the complaint, you will need to tell [Stopline](#) how to contact you ([Stopline](#) will keep your information confidential).

Australia: 1300 30 45 50

International: +61 3 98 11 32 75

Email: caritas@stopline.com.au

Website: <https://caritas.stoplinereport.com>

Post: Caritas Australia, c/o Stopline, Locked Bag 8, Hawthorn 3122, Australia

5.2 Types of Complaints

5.2.1 A general complaint includes but is not limited to:

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

We support a culture of speaking up. If you have a complaint about employment issues, you should first speak with your manager and refer to the Staff Handbook. If you feel your complaint is not being heard, it is appropriate to escalate it in line with this policy.

5.2.2 A sensitive complaint includes but is not limited to:

- Corruption
- Theft
- Fraud
- Misuse of funds

- Exploitation
- Abuse
- Harassment
- Bullying
- Discrimination
- Misconduct negligence
- Matters raised under Caritas Australia Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy and Child Protection policies
- Any other abusive or inappropriate behaviour by our personnel, partners or those involved in our work in-country
- Bullying, harassment or discrimination between personnel

5.2.3 A whistleblower complaint is defined in Appendix 2.

A person who makes such a complaint is known as a whistleblower. Whistleblowers have extra protection under Australian law if they:

- a) Are connected to Caritas Australia in a certain way (be an 'eligible whistleblower')
- b) Tell the right person (an 'eligible recipient') and
- c) Make a certain type of complaint (a 'disclosable matter')

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

5.3 Assigning complaints

5.3.1 Where appropriate, general complaints are referred to the local level to be investigated and resolved. Where this is not possible (because the complaint is sensitive, because there isn't enough capacity or expertise at the local level, or because the allegation involves senior personnel), the matter will be referred to a more senior person in the organisation.

5.3.2 Sensitive complaints (including fraud, sexual exploitation, abuse and harassment and child protection matters) are always referred to confidential@caritas.org.au or [Stopline](#). Sensitive complaints will be managed and investigated by senior personnel.

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

5.4 Referring complaints to other organisations

5.4.1 Complaints that are made about another organisation and/or their personnel will be referred to that organisation. It is the responsibility of that organisation to resolve it under their own complaints handling mechanism.

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

5.4.3 Regarding complaints with criminal aspects (including alleged incidents of fraud, sexual exploitation, abuse and harassment), we take the view that these should also be reported. We will consider whether it is safe to do so, and take into consideration the wishes of the victims/survivors and whistleblowers.

5.4.4 In addition to abiding by mandatory reporting requirements, any complaint that involves allegations or suspicions of abuse of a child or adult by an Australian Bishop or leader of

an Australian Religious Institute will be referred to the Director of the Australian Catholic Centre for Professional Standards. Where an investigation is required a lead agency will be appointed.

Complaints involving any other religious personnel will be managed in line with Caritas Australia processes and procedures.

5.4.5 If a reporter believes that Caritas Australia has breached the ACFID Code of Conduct, a complaint may be lodged with the ACFID Code of Conduct Committee (<https://acfid.asn.au/content/complaints>). The Caritas Australia Complaints Focal Point will provide the necessary details. Information on how to make a complaint to ACFID is also available on the Caritas Australia website.

5.5 Managing complaints

5.5.1 All complaints will be recorded. We will treat reporters respectfully, and will inform them within 2 working days that we have received their complaint.

5.5.2 If the complaint involves child protection matters, we will use the Complaint Handling Procedure.

5.5.3 When we receive a complaint, Caritas Australia will respond to the complaint in line with this policy and any relevant standards and legislation.

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

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

5.5.6 We address complaints in a fair, equitable, objective and unbiased manner. Any issues of conflict of interest will be managed in accordance with Caritas Australia Conflict of Interest Policy.

5.5.7 Where this policy conflicts with legislation, Caritas Australia will comply with legislative obligations.

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

5.5.9 We work with our partners to ensure it is easy for people to make a complaint. Our partners are responsible for handling complaints in line with cultural, social, program and local contexts. This forms part of our accompaniment and capacity building initiatives in accordance with the Child Protection and Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy.

5.6 Maintaining your anonymity

5.6.1 Complaints can be made anonymously. In those cases, while we may not be able to respond directly to the reporter, we may be able to use the complaint to alert us to matters that need to be investigated and/or referred to authorities.

5.6.2 Where practical and appropriate, we will protect the identity of reporters. Personal information that identifies individuals will only be disclosed when required by law. When required for purposes of the investigation or other related purposes, all reasonable efforts will be taken to de-identify information that is not required for the purpose of the disclosure. In some instances, it may not be possible for an investigation to progress if the existence of the report cannot be disclosed and a statement by the individual cannot be provided as evidence.

5.6.3 We understand that some complaints need to be kept confidential in order to protect those making or involved in the complaint. However, in some instances we might judge that the reporter will be better served if others are involved in the resolution of a complaint. Third parties will only

be included in the resolution of confidential complaints on a case-by-case basis and with the agreement of the reporter.

5.6.4 We will reduce the risk that a reporter will be identified by, for example, removing identifying information about them, using gender-neutral language, limiting access to information on a 'need-to-know' basis and engaging qualified employees to handle the complaint.

5.7 Providing support and protecting you from harm

Together, we will assess any immediate needs for protection or assistance as soon as possible after a complaint is made.

We will work with you to identify what support you may need. For example, we may be able to provide or refer you to services (such as counselling or medical services). We will also take reasonable steps to ensure you are safe and not exposed to further harm.

For Caritas Australia personnel, we may be able to provide flexible working conditions or workplace modifications and ensure managers are aware of their responsibilities.

If you have suffered harm despite this support in place, we will let you know how to make a further complaint.

We will offer protection to you, as long as your complaint is made in good faith.

The protections include:

- Your identity being kept confidential
- No 'payback', punishment or retaliation
- No legal action being taken against you for breach of contract, etc
- Potential compensation and remedies

5.8 Investigating complaints

We will communicate transparently how we will investigate the complaint.

5.9 Ensuring fair treatment

We will handle complaints confidentially where it is practical and appropriate. The investigation will be impartial and fair for all involved (including the reporter and the respondent).

Respondents will be provided with support throughout the process and may also access external counselling services through ACCESS EAP.

If you are the respondent, you will be told what the complaint is about (the subject matter) to enable you to respond appropriately. Where relevant you will have an opportunity to provide additional information and name other sources who may verify this information.

5.10 Outcome of Complaints

If a complaint is upheld, the matter will be referred for appropriate disciplinary processes. In the case of vexatious complaints made by a Caritas Australia employee, they will be referred for appropriate disciplinary action.

5.11 Communicating outcomes of complaints

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

During this process, we will continue to respect the confidentiality of persons involved where appropriate. We will take all required remedial action as indicated by the investigation. Where

needed, we will counsel personnel and undertake disciplinary action. In keeping with confidentiality and privacy requirements, we will consult with relevant bodies for advice.

5.11 Appealing a decision

We want you to make sure the complaint is satisfactorily resolved. We encourage you to ask for clarification or feedback during the process.

If, after having the opportunity for feedback, you do not feel satisfied with the outcome, you can submit a formal appeal via confidential@caritas.org.au or the [Stopline](#) whistleblower hotline.

You will be contacted by a representative of Caritas Australia or [Stopline](#) with updates and the outcome of the appeal.

5.12 Accessing this policy

This policy will be available on www.caritas.org.au website and the Caritas Australia policy portal.

5.13 Socialising this policy and providing training

The Speaking Up Policy is distributed to all Caritas Australia personnel, partners, and all others acting on our behalf. During induction programs and refresher trainings, we ensure they are familiar with this policy.

The Complaints Focal Point (and other personnel involved, directly and indirectly, in complaint handling) are fully trained in all aspects of this policy and procedures. For personnel who visit our programs and projects, we provide extra training about how to encourage and receive complaints (especially with regard to accessibility including language and culture).

We support partners to understand the Caritas Australia policy and develop their own complaints mechanisms.

5.14 Learning from complaints

We are prepared to change the way in which we operate and improve or undertake further training of employees. We will communicate the implications for our policies, procedures, processes, programs and projects so that we can embed organisation learning.

6. Roles and Responsibilities

At Caritas Australia, we recognise that a culture of speaking up starts with strong leadership.

6.1 The Board of Directors is responsible for:

- Ultimate accountability for our organisational policies
- Guiding the governance and culture of Caritas Australia through strategic leadership
- Demonstrating a commitment to a culture of speaking up and leading by example
- Approving this policy and holding the Leadership Team accountable to how effectively this policy is implemented
- Investigating very serious complaints and providing a response

6.2 Leadership Team members are responsible for:

- Demonstrating a commitment to a culture of speaking up and leading by example
- Ensuring our procedures, practices, plans and operations align with this policy
- Reporting to the Board via the CEO on policy matters

- Ensuring their team are aware of this policy and understand their responsibilities
- Monitoring and responding to any complaint that is assigned to them to investigate

6.3 The Chief Executive Officer is responsible for:

- Ensuring this policy is upheld
- Demonstrating a commitment to a culture of speaking up and leading by example
- Informing the Board of any concerns relating to complaints that may present risk to Caritas Australia or its personnel
- Where appropriate, 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 trends that have been identified)
- Ensuring all personnel are accountable to this policy

6.4 The Complaints Focal Point is the Caritas Australia employee identified as the point of contact for any complaint received. They are responsible for:

- Ensuring this policy is accessible via the Caritas Australia website
- Assessing who is the most appropriate person to respond to a complaint
- Recording the complaint in a secured database
- Receiving complaints directly from the reporter, from the Whistleblower Hotline or from any personnel
- Referring the complaint to the correct person to manage or investigate
- Supporting the person(s) appointed to handle the complaint using good practice

6.5 Stopline whistleblower service is responsible for:

- Receiving complaints
- Maintaining anonymity of the reporter if they wish
- Keeping the reporter updated (if they make an anonymous complaint)
- Referring the complaint to Caritas Australia to investigate (complaints are referred to the Complaints Focal Point or another appropriate person)
- Investigating complaints when requested by Caritas Australia

6.6 Managers are responsible for:

- Demonstrating a commitment to a culture of speaking up and leading by example
- Creating transparent practices that show how complaints will be handled
- Communicating this policy and related procedures to personnel
- Regularly including speaking up and complaint management as an agenda item at team meetings
- Engaging their teams in an open, honest and meaningful way to ensure they understand what is expected of them, and will participate in resolving complaints where necessary
- Ensuring personnel are aware of the policy and understand their role in handling complaints about any Caritas Australia work, activities, or behaviours of Caritas Australia or program employees

6.7 In-country managers (including Country Representatives)

- Giving this policy information on how to make a complaint to program partners
- Ensuring in-country procedures for handling complaints are consistent with this policy

6.8 Personnel are responsible for:

- Understanding and following this policy and related procedures
- Ensuring that your actions are in line with this policy, and that your work reflects the Guiding Principles and Policy Commitments above
- Not encouraging others (directly or indirectly) to breach this policy
- Reporting any breach to your manager, to the Complaints Focal Point at confidential@caritas.org.au or to the [Stopline](#) whistleblower service.

We have a shared responsibility to ensure a culture of speaking up at Caritas Australia.

7. Related Documents

This policy supports Caritas Australia's compliance with the following:

7.1 Legislation:

- Corporations Act 2001 (Cth)
- Taxation Administration Act 1953 (Cth)

7.2 Standards and Codes:

- Caritas Internationalis Management Standards
- Caritas Internationalis Complaints Handling Policy
- Australian Council for International Development (ACFID) Code of Conduct
- Department of Foreign Affairs and Trade (DFAT) Child Protection Policy
- Department of Foreign Affairs and Trade (DFAT) Prevention of Sexual Exploitation, Abuse and Harassment Policy
- Department Foreign Affairs and Trade Australian NGO Accreditation Guidance Manual June 2017
- Australian Charities and Not-for-Profits Commission (ACNC) Governance Standards
- Core Humanitarian Standard on Quality and Accountability (CHS)

7.3 Caritas Australia Governance Documents:

- Complaints Handling Procedure
- Whistleblower Procedure
- Investigations Guidelines
- Child Protection Policy
- Preventing Sexual Exploitation, Abuse and Harassment (PSEAH) Policy

8. Appendix List

- Appendix 1: Definitions
- Appendix 2: Whistleblower Protections
- Appendix 3: Complaints Flowchart (How to make a complaint)
- Appendix 4: Complaints Flowchart (If you receive a complaint)
- Appendix 5: Complaints Flowchart (For complaints via Stopline)

9. Information about this policy

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| Can be accessed by | Anyone via website |
| Can be shared with | Internally and externally (including with other organisations) |
| Distributed to | Any person doing paid or unpaid work for, or on behalf, of Caritas Australia including Australian-based employees, in-country employees, Board of Directors, Diocesan Directors, volunteers and partner organisations |
| Document Owner | Complaints Focal Point |
| Approved by | Board of Directors |
| Commencement Date | 01 Oct 2020 |
| Next Review Date | 01 Oct 2023 |
| Document number | SU-SU-POL-v1.1 |

How this policy has changed over time

| Version | Approval Date | Summary of changes |
|---------|---------------|---|
| 1.0 | 26 Jun 2020 | New document to replace Respectful Workplaces Policy and the Whistleblower Procedure. Also replaces the Complaints Policy which applied to International Programs only. Introduces an external whistleblower service. |
| 1.1 | 18 Nov 2020 | Updated infographics for appendices to align with branding. Put into new format. |
| 1.2 | 18 Jan 2021 | Fixed minor typo. |

Appendix 1: Definitions used in this policy

| when we use ... | we mean ... |
|---------------------------------------|---|
| we or us or our | Caritas Australia |
| you or your | Readers of this policy |
| Personnel | Any person doing paid or unpaid work for, or on behalf, of Caritas Australia including Australian-based employees, in-country employees, Board of Directors, Diocesan Directors, volunteers, contractors, sub-contractors, consultants |
| Program partner | Individuals or organisations that Caritas Australia works with, accompanies and supports to deliver humanitarian and development programs or activities |
| Program participant | Persons or communities who participate in projects or activities delivered by Caritas Australia or our Program Partners |
| Caritas Australia work and activities | International development work, humanitarian responses, fundraising activities, advocacy work, and community engagement activities in schools, parishes and other settings |
| Complainant | A person, group or organisation making a complaint. In this policy, we choose the word 'reporter' instead of 'complainant'. |
| Whistleblower | A person linked (directly or indirectly) to the organisation who reports a whistleblower complaint. An eligible whistleblower may be entitled to protection under Australian law. |
| Whistleblower complaint | A complaint about wrongdoing such as fraud, corruption, abuse, misuse of resources, risk to health and safety etc. |
| Sensitive complaints | A complaint about issues that need to be treated urgently and confidentially by senior personnel within the organisation. The complaint may involve corruption, exploitation, abuse, harassment, bullying, discrimination, misconduct negligence or any other abusive or inappropriate behaviour by our personnel. |
| General complaint | A general complaint or concern regarding Caritas Australia work and activities including but not limited to: <ul style="list-style-type: none"> • Funding and program decisions • Program implementation • Fundraising and Supporter Services |
| Workplace grievance | A problem, concern, issue or incident raised by an employee who believes they are the subject of unreasonable treatment from Caritas Australia or another person(s). |
| Misconduct | An incident of wrongdoing that may include fraud, negligence, default, breach of trust and breach of duty. |
| DFAT | Department of Foreign Affairs and Trade |
| ACFID | Australian Council for International Development |
| Complaints officer | Designated person within Caritas Australia who will receive complaints. |
| Leadership team member | The CEO or head of each department |
| Procedural fairness | A fair and proper process, concerned with the procedures used by a decision-maker rather than the actual outcome reached. |

| | |
|---------------------|--|
| | The respondent is provided with sufficient information about the complaint in order to fully respond. |
| Reporter | A person, group or organisation making a complaint. In this policy, we choose the word 'reporter' instead of 'complainant' |
| Respondent | Person who the complaint is about |
| Mandatory reporting | This is the obligation of certain professional groups and community members to report incidents of abuse. At Caritas Australia it is mandatory to report any concerns, suspicions or alleged incidents of child abuse or exploitation and/or any sexual exploitation, abuse or harassment in line with our Safeguarding policies. |

Appendix 2: Whistleblower Protections

As long as your complaint is made in good faith, we offer you protection from being negatively affected. We offer this protection to all people, regardless of your situation.

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

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

- Be connected to Caritas Australia in a certain way (be an 'eligible whistleblower')
- Tell the right person (an 'eligible recipient')
- Make a certain type of complaint (a 'disclosable matter')

More information on each of these criteria is below.

1. To be an eligible whistleblower, you need to be connected to Caritas Australia as:

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

2. You can make a complaint to any of these people or organisations ('eligible recipients'):

- [Stopline external whistleblower service](#)
- A Director of the Board
- A senior manager of Caritas Australia such as Chief Executive Officer, Chief Finance and Operating Officer, Caritas Australia Leadership Team members
- An auditor, or a member of an audit team conducting an audit
- A government body (such as ASIC or APRA)
- A legal practitioner (such as a lawyer) – in this case, you must ask for legal advice or legal representation on whistleblower protections.

3. You can make a whistleblower complaint if you have objectively reasonable grounds to suspect:

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

These are known as 'disclosable matters'. Some examples of disclosable matters are:

- Misconduct
- An improper state of affairs or circumstances in relation to Caritas Australia

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

If your complaint is about something else, you can still make a complaint. You will still be protected by Caritas Australia (but you will not get extra protections under the Australian law).

4. Examples that are *not* whistleblower complaint

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

How you will be protected as a whistleblower

We understand that it can be difficult to make a complaint. We will take all practical steps to protect those who make a whistleblower complaint as long as it is made in good faith.

If you make a complaint as a whistleblower, you will be protected from identity protection, protection from harmful acts or omission, compensation and remedies, and civil, criminal and administrative liability protection.

This includes protection from:

- Being named publicly as the person who made the complaint
- Information being shared that is likely to identify you
- Being dismissed from your job
- Having your job changed
- Being intimidated or harassed
- Harm or injury (physical, psychological)
- Damage to property
- Damage to your reputation
- And similar actions

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

Complaints made in good faith

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

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

You will be protected if your complaint is made in good faith (this is called objectively reasonable grounds). However, if your complaint is considered to be false or vexatious, disciplinary action may be taken.

How to make a whistleblower complaint

You may contact the Complaints Focal Point (confidential@caritas.org.au) or [Stopleveline](#) whistleblower external service.

Appendix 3: Complaints Flowchart (How to make a complaint)



Appendix 4: Complaints Flowchart (If you receive a complaint)

COMPLAINT HANDLING PROCEDURE for staff who receive a complaint or concern



If you receive a complaint or concern:

Take notes of:

- Their name and contact details
- Details about the complaint or concern (eg date, location, people involved)
- Whether anyone is in danger
- Your name and date you received the complaint

For safeguarding matters, refer to the Safeguarding Report Form.

Then tell them that:

- Someone from Caritas Australia will be in contact
- Their complaint will be referred to the Complaints Focal Point
- They can contact us via confidential@caritas.org.au

If you don't feel comfortable taking the complaint

- Refer them to Stopleveline or the Complaints Focal Point confidential@caritas.org.au
- Ask if they're comfortable for you to give their details to Complaints Focal Point

Stopleveline follows the same process (except for anonymous complaints where they take extra steps to protect anonymity).

The Complaints Focal Point will:

Acknowledge the complaint

- Within 2 working days
- Confirm all details are correct
- Advise of support options

Assess the complaint

- Do we need more information?
- Are we obligated to report to external agencies? eg criminal, safeguarding
- Is an investigation required?
- If the complaint doesn't involve Caritas Australia direct, should we refer it on?

Tell them:

- The outcome of the assessment
- Whether the matter will be investigated and who will contact them

Record the details

- in the Complaints Register

After an investigation

- The Investigator provides report to Investigation Committee
- The Investigation Committee will determine outcomes
- An action plan is developed
- Investigation Committee hands over matter to relevant person

The Complaints Focal Point will:

Advise them:

- What action was taken (if this can be shared)
- That the matter is closed
- If they are unsatisfied with the outcome, how to make an appeal (to CEO) or a complaint (to ACFID)

Before an investigation

- Develop the Terms of Reference
- Appoint Investigation Committee
- Appoint Investigator
- Conduct investigation

Review the process

- What lessons have we learned?
- Update policies or procedures where necessary
- Prepare report if required including recommendations

Appendix 5: Complaints Flowchart (for complaints via [Stopline](#))

IF I CONTACT STOPLINE what happens next?



Stopline will ask you:

- Details about your complaint or concern
- Whether anyone is in danger
- Whether you want to be identified

You can choose who knows your identity. You can choose to be:

UNKNOWN to Stopline and to Caritas Australia

Completely anonymous

Stopline will not record your details.

- Stopline will give you a report number.
- If you wish, you can use this report number to receive updates or provide further information.

IMPORTANT:

If you choose *not* to provide your contact details, there may be **limits**:
- you will need to contact Stopline for updates (they won't be able to contact you)
- if there is not enough information, it may not be possible to take action.

If you feel comfortable, we recommend you give your contact details to Stopline.

UNKNOWN to anyone at Caritas Australia but KNOWN to Stopline

Stopline to act as intermediary

Stopline will record your details but not share your identity with Caritas Australia.

- Stopline will give you a report number.
- If you wish, you can use this report number to receive updates or provide more information.
- Stopline can also contact you if needed. For example, if they have updates or need more information.

KNOWN to Stopline AND to designated people at Caritas Australia

Stopline will confirm with you:

- Whether you want to deal with Caritas Australia direct or prefer to have Stopline be your contact
- Your complaint will be referred to the Complaints Focal Point
- Someone from Caritas Australia will contact you within 2 working days

The Complaints Focal Point will contact you to:

- Tell you your complaint was received
- Confirm all details are correct
- Ask for more information if required
- Advise whether we are legally obligated to report to an external agency (eg police)
- Let you know what support options are available for you

We will then assess your complaint and tell you:

- Whether a formal investigation will occur
- The estimated timeline and process (if applicable)

You will be updated when:

- The investigation (if applicable) is complete or the matter is closed

If you aren't satisfied with the outcome you can appeal the decision

- You can make an appeal to Chief Executive Officer via post: Caritas Australia GPO Box 9830, Sydney NSW 2001, Australia or via email confidential@caritas.org.au (attention: CEO)
- Or if you feel we breached the ACFID Code of Conduct, you can contact ACFID <https://acfid.asn.au/content/complaints>

Stopline

1300 30 45 50 or

+61 3 9811 3275 or email

caritas@stoplينerreport.com