

Complaints handling & Whistle-blowing Policy



1. Introduction

GraceWorks Myanmar (GWM) recognises the importance and value of listening and responding to concerns, grievances and complaints. We are committed to achieving the highest standard we can in every area of our work and to continuous improvement. This applies especially to delivery of projects, seeking donations and accountability to stakeholders generally. We are committed to working according to the Code of Conduct of the Australian Council for International Development (ACFID).

GWM is also committed to the highest standards of legal, ethical and moral behaviour and recognises that having a policy that addresses whistleblowing is an important element in detecting corrupt, illegal or other undesirable conduct and ensuring that misconduct or wrong doing within GWM or by GWM can be raised without fear of retribution.

2. Scope

This policy applies to GWM personnel (staff, volunteers and contractors, office bearers/Board members) as well as to the individuals, communities, partners and other stakeholders or interested parties with whom we work.

3. Definitions

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| Enquiry | A request for information or an explanation |
| Feedback | Opinions, comments, suggestions and expressions of interest in the products or the complaint handling process |
| Complaint | An expression of dissatisfaction made to an organisation related to its services or the complaint handling process itself, where a response or resolution is explicitly or implicitly expected. |
| Complainant | A person, organisation or its representative, making a complaint. |
| Grievance | A formal complaint that is raised by an employee towards an employer within the workplace. |
| Stakeholder or interested party | A person or group having an interest in the performance or success of the organisation |
| Whistleblowing | The disclosure by or for a witness, of actual or suspected misconduct. |
| Whistle-blower | A person who reports serious misconduct. |
| Misconduct | An action that is <ul style="list-style-type: none"> • Fraudulent or corrupt • Illegal • Unethical, such as acting dishonestly; altering company records; wilfully making false entries in official records; engaging in questionable accounting practices; or wilfully breaching the ACFID Code of Conduct • Potentially damaging to GWM such as maladministration |

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| | <ul style="list-style-type: none"> • Seriously harmful or potentially seriously harmful to GWM personnel such as deliberate unsafe work practice or wilful disregard to the safety of others in the workplace • May cause serious financial or non-financial loss to GWM; or damage its reputation; • Involves any other kind of serious impropriety including retaliatory action against a whistle-blower for having made a wrongdoing disclosure. |
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4. Implementing the Complaints Mechanism

4.1 Promoting the policy

GWM will inform its personnel as well as the individuals, communities, partners and other stakeholders we work with about their right to complain and that confidentiality will be maintained at all times.

- For staff and volunteers – the policy will be explained during the induction process.
- For contractors – details will be in their contract.
- Primary stakeholders- as literacy is a constraint for many individuals and communities we whom we work and people in Myanmar may require encouragement to make a complaint – GWM will explain this verbally at the commencement of work with them. We will take special care to facilitate complaints from vulnerable populations including children and marginalised groups. If required we will use pictures to communicate.
- For partners – it will be in the MOU/ partnership agreement, discussed at regular review meetings, and part of any discussion around continuing or setting up a new partnership.
- Project visitors – in predeparture briefings/documentation.
- For other stakeholders and interested parties – a copy of the policy will on the GWM website.

4.2 Receiving complaints

4.2.1 Raised concerns, complainants and staff grievances will be treated with respect.

4.2.2 We acknowledge that most of those with and through whom we work in Myanmar, almost without exception, find themselves in an unequal power relationship with NGO workers. We therefore encourage face to face discussions to reduce misunderstandings and misinformation which can become a complex issue given the cultural differences and especially issues related to a society built on a hierarchical structure of authoritarianism.

4.2.3 We will observe strict confidentiality in complaint handling.

4.2.4 All complainants are encouraged to address the matter directly with the person concerned or raise it with their manager/ the project manager first.

4.2.5 GWM needs to be proactive about hearing feedback and complaints i.e. listen, accept the feedback/complaint, be courteous and commit to resolving it.

4.2.6 We are able to receive complaints orally in person or by telephone and in writing by post, email or online via our website as follows:

(i) Ring the GWM CEO on Ph: 0418 108 056

Formal complaints received orally will be written up to capture all the information the complainant wishes to provide. Complaints may be made by a

friend or advocate of the complainant on their behalf. However anonymous complaints will not be accepted.

If an interpreter is required we will engage an interpreter.

(ii) Lodge the complaint in writing at:

Email: info@gwm.org.au

Address: Boom Gallery, Hub 21, 21 Rutland Road, Newtown, 3220, Victoria.

(iii) Lodge the complaint via the contacts page on the www.Graceworksmyanmar.com website.

(iv) Through our key implementing partner in Myanmar, GraceWorks Company Limited.

Phone: 09 4303 2252

Email: info@gwm.org.au

Address: 142A, 5th floor, Lower Kyimyindine Road, Ahlone Township, Yangon

4.2.7 All complaints will be directed to the CEO. The CEO is responsible for managing formal complaints.

4.2.8 We will ensure that a person implicated in a complaint is not involved in any way with the handling of that complaint. Therefore, if the complaint is about the CEO, the Chairman of the Board (CB) is responsible. If the complaint is about the CB, the Board of Directors (BD) is responsible.

4.2.9 The ACFID Code of Conduct offers an independent mechanism to address concerns relating to the conduct of ACFID members. If a complainant wishes to make a complaint regarding an alleged breach of the Code to the ACFID Code of Conduct Committee, they should be informed that they can do so at:

Chair, ACFID Code of Conduct Committee

Email: code@acfid.asn.au.

(For further information see <https://acfid.asn.au/content/complaints>).

4.2.10 Formal complaints will be acknowledged within 10 working days.

4.2.11 All formal complaints will be documented on the incident register.

4.3 The process for resolving complaints

We will address all complaints in an equitable, fair and unbiased manner using evidence submitted by both the complainant and our personnel.

4.3.1 Analyse

We will:

- Seek from the client the outcome/s they are expecting;
- Make an initial assessment of the severity of the complaint and the urgency of action
- Not create false expectations but assure the complainant that the complaint will receive attention.

The majority of complaints GWM receives will be able to be resolved immediately with common sense, diplomacy and knowledge of GWM and its activities.

4.3.2 Investigate

GWM will make every reasonable effort to investigate all the relevant circumstances and information surrounding a complaint. The level of investigation will be commensurate with the seriousness and frequency of the complaint.

Complaints about programs/services delivered by our partners in Myanmar may take time to investigate and resolve. Other complaints may require detailed investigation. GWM aims to resolve all complaints within 30 days.

4.3.3 Responding to and closing a complaint

We will take all required remedial action. We will be prepared to change the way in which we operate and improve or undertake further training of staff. Where needed we will counsel or discipline staff or volunteers.

GWM will inform the complainant about the outcome. This will be done in writing. If literacy is an issue, it will be done orally and the discussion will be documented by GWM.

If a decision has not been reached, the complainant will be provided with a progress report an indication of a likely date of conclusion.

If a complaint is upheld, the complainant will be advised that action has been taken to address the issue. The detail of that action may not be able to be disclosed in all instances due to confidentiality.

We will not reveal a complainant's name or personal details to anyone in or outside our organisation other than staff involved in handling the complaint without obtaining the complainant's permission.

Relevant GWM personnel may be informed about complaints received, investigated and action taken. This step can be vital in maintaining/restoring staff morale.

If a complaint is not upheld and the complainant remains unhappy they have a right to appeal. They must be informed of this right. Appeals go to and are the responsibility of the BD.

Complainants should be advised about their ability to make a complaint regarding any alleged breach of the ACFID Code of Conduct to the ACFID Code of Conduct Committee.

Complaint data will be recorded on GWM's incident register and reviewed annually by the GWM Board.

5. Whistle-blowing

GWM' has an 'open door policy' and encourages staff, volunteers, consultants and partners who are aware of wrongdoing, to disclose that information.

No person should be personally disadvantaged for reporting a wrongdoing. Not only may misconduct be illegal, but it may directly oppose the values and mission of GWM. GWM is committed to maintaining an environment where legitimate concerns are able to be reported without fear of retaliatory action or retribution.

When a person makes such a disclosure they are entitled to expect that:

- Their identity remains confidential at all times to the extent permitted by law or is practical in the circumstances,

- They will be protected from reprisal, harassment or victimisation for making the report,
- Should retaliation occur for having made the disclosure then GWM will treat it as serious wrongdoing under this Policy.

5.1 Whistle-blowing procedures

- 5.1.1 A person considering making a whistle-blower report is obliged to act in good faith and have reasonable grounds for believing the disclosure is reportable wrongdoing. False or malicious allegations may result in disciplinary actions.
- 5.1.2 A Whistle-blower must provide information to assist any inquiry/investigation of the wrongdoing disclosed.
- 5.1.3 Making a report may not protect the whistle-blower from the consequences flowing from involvement in the wrongdoing itself. A person's liability for their own conduct is not affected by their reporting of that conduct under this policy. However active cooperation in the investigation, an admission and remorse may be taken into account when considering disciplinary or other action.
- 5.1.4 All whistle-blowing should be directed to the CEO. (For contact details see 4.2.5 above). The CEO is responsible for investigating reports of whistle-blowing. If the whistle-blowing is about the CEO, the Chairman of the Board (CB) is responsible. If the whistle-blowing is about the CB, the Board of Directors (BD) is responsible. At all times parties will agree on the appointment of an appropriate delegate, who is not implicated in the report, to lead the investigation. A qualified external investigator independent of GWM may be appointed if this is considered necessary.
- 5.1.5 The responsibilities of the appointed investigator include the assurance that action taken in response to the inquiry is appropriate to the circumstances and retaliatory action will not be taken against the person who made the disclosure.
- 5.1.6 The investigator has direct, unfettered access to independent financial, legal and operational advisers as required.
- 5.1.7 The investigator needs to keep the Whistle-blower informed of the progress and outcomes of the inquiry/investigation subject to considerations of privacy of those against whom the allegations have been made.

6. Learning and improving

GWM will analyse and reflect on the issues that have arisen from complaints and whistleblowing to ensure continuous improvement for GWM and that similar issues do not arise again.

7. Policy reviews

This policy will be reviewed every two years.

8. Related documents

- Incident register