



Complaints Policy

Purpose

The purpose of this policy is to provide employees of Ilim College with an avenue for raising genuine workplace complaints and for those complaints to be dealt with in a fair and appropriate manner.

Scope

This policy applies to all employees of Ilim College and its subsidiaries (referred to as “Ilim College”) and to other persons regularly present at Ilim College’s premises (all referred to as “employees”).

Ilim College provides a policy for complaints that is visible and accessible. Ilim College treats all complaints seriously. Not every complaint will involve misconduct – sometimes there may be a difference of opinion.

Employee misconduct has the potential to harm both the wellbeing of employees as well as the reputation of Ilim College.

Policy : The Complaint

The processes set out in this Policy are intended to represent a fair and reasonable balance between the interests of all affected parties.

Employees should report complaints in accordance with this Policy and maintain the confidentiality of information and any other matter relating to a complaint. Ilim College expects that genuine complaints will be raised by the affected person in a responsible and clear manner, in such a way as to allow other relevant people to consider the complaint and respond in an attempt to satisfy those affected.

Where possible, it is expected employees will attempt to resolve the issue with the individual concerned and/or via their manager before making a complaint.

Reporting A Complaint and The Complaint Handling Process

All complaints are to be made in writing to the Head of Human Resources and must clearly outline the nature and details of the complaint(s). Where possible, you should include specific facts (i.e. dates, times, locations, witnesses). General accusations should not be included. Wherever possible, a complaint should be made as soon as possible following the alleged conduct.

Any employee is entitled to lodge a genuine complaint.

In some circumstances, Ilim College's whistle blower policy may also apply. The Whistle blower Protection policy provides a mechanism to make a protected complaint, including anonymously, in good faith as to possible breaches of legislation such as: the Corporations Act, Australian Securities and Investments Commission Act and offences created under the Criminal Code (Bribery of Foreign Officials) Amendment Act. Any employee who considers that their complaint is more appropriately made under the Whistle blower policy should refer to that policy for further details.

On receipt of a written complaint, the Head of Human Resources will determine which complaint process under this Policy to use:

- Workplace Issue Resolution – (no initial allegation of misconduct); or
- Alleged Misconduct

Workplace issue Resolution (No Initial Allegation Of Misconduct): Complaint Process

Where a complaint is not related to alleged misconduct it will be dealt with by the Workplace Issue Resolution process.

In the event that the Head of Human Resources initially determines that the complaint DOES NOT involve allegations of misconduct, the complaint will be dealt with in the following manner:

- All affected parties are to work together in an effort to find a fair and reasonable resolution to the complaint.

- Where matters cannot be resolved between the parties (for example, a matter between fellow employees), such matters should be discussed between the employees and their manager. If appropriate, the manager will endeavour to resolve the issue to the mutual satisfaction of the employee(s) and Ilim College. Where the complaint concerns the manager and the employee does not feel they can discuss the matter with their manager, the Head of Human Resources will appoint a representative to facilitate the matter from Human Resources.
- If the matter cannot be resolved, the matter may be then discussed and settled by the parties together with another representative of Ilim College appointed by the Head of Human Resources.
- If at any stage following the making of a complaint, the Head of Human Resources determines that the complaint may include allegations of misconduct, the resolution of the complaint is to proceed under the alleged misconduct complaint process in of this policy.

At any time during the process detailed above, the employee may request another person to be present at meetings as a support person. The role of the support person is to provide support but not to advocate on behalf of the employee.

Alleged Misconduct Complaint Process

Not all complaints are able to be dealt with under the Workplace Issue Resolution Process due to the seriousness and nature of the allegations raised in the complaint (as determined by the Head of Human Resources). In these instances, the Alleged Misconduct Complaint Process will apply.

Misconduct is, essentially, any work-related conduct which is improper or wrong:

(a) Conduct may be improper because it breaches generally accepted standards of workplace behaviour, or standards of behaviour Ilim College has notified employees they are expected to comply with.

(b) Conduct may be wrong because it is in breach of a management direction, Ilim College policy, code of conduct, current EBA, law or contract of employment. Such policies include the Staff Code of Conduct and the Child Safe Code of Conduct.

Investigation

Where the Alleged Misconduct Complaint Process is to be followed, a person nominated by the Head of Human Resources, which may include him/herself, must conduct an investigation. The Head of Human Resources may also engage an external independent investigator to conduct the investigation.

A complaint will not require investigation to the extent that the Head of Human Resources considers the complaint:

- (a) to have already been adequately dealt with under this Policy;
- (b) not to involve any work-related conduct; or
- (c) to be deliberately false or malicious. Note: employees who deliberately make false or malicious complaints may be subject to disciplinary action.

Regardless of whether or not a complaint has been made, Ilim College may also initiate or continue an investigation into any matter at the sole discretion of the Head of Human Resources.

Conduct of the Investigation

The investigator will conduct the investigation. The investigator is to determine the type and extent of investigation having regard to the particulars of the complaint and the requirements of natural justice.

The investigation is to be timely, focused, embrace the principles of natural justice and appropriately cover only the complaint referred for investigation.

An employee may withdraw a complaint at any stage, but if the allegation is of a serious nature, Ilim College may need to continue the investigation and take action in relation to any issues raised.

Where the investigator interviews any employee as part of the investigation process, the employee may have a support person present. The role of the support person is to provide support, but not to advocate on behalf of the employee.

Ilim College considers that each complainant and the person/s against whom a complaint is made should be given a fair opportunity to be heard. The investigator should take steps to ensure that all persons involved, including the person/s against whom a complaint is made, is afforded natural justice and due process.

This will generally involve:

- (a) The employee alleged to have engaged in misconduct being adequately informed of the substance of the allegation(s).
- (b) The employee alleged to have engaged in misconduct being provided with an opportunity to respond to the allegation(s);
- (c) The investigator acting without bias or the appearance of bias; and
- (d) A requirement that there be sufficient reliable facts or information to support any of the investigator's findings. Any finding(s) will be decided on the balance of probabilities.

Decisions and Outcomes

On completion of the investigation, the investigator is to provide findings and recommendations (if requested) to the Head of Human Resources and the relevant managers at Ilim College.

The relevant Manager (in consultation with Human Resources) is to consider the findings and any recommendations and take action depending on the circumstances, including but not limited to, the nature and severity of the incident and whether there have been previous incidents.

Action may range from no action being taken to summary dismissal, subject to any applicable processes under the College's Performance and Conduct Counselling and Disciplinary Policy.

Notification of Outcome

The employee who is the subject of the complaint and the employee who made the complaint are to be notified of the outcome of the investigation and provided with a summary of the findings so far as the findings concern them.

General

Early Termination of Investigation

In some cases, it may become clear at an early stage that no misconduct (or only a part) has occurred or that there will be insufficient evidence to establish any misconduct. In these instances, the investigation will either be terminated, or its

scope reduced and the person the subject of the complaint of misconduct informed.

Temporary suspension and re-assignment of duties

A manager may, in consultation with and with the approval of the Head of Human Resources, suspend or reassign the duties an employee who is the subject of an investigation at any stage of the investigation pending the outcome of the investigation.

Victimisation

Any victimisation or retaliation of a person who has made a complaint is strictly prohibited and should also be reported to the Head of Human Resources.