

Complaints Policy and Procedure

Overview

EFA takes seriously our responsibility to provide a safe, respectful, and welcoming environment for any staff, volunteers, contractors, members, and members of our community.

This policy applies to anyone handling complaints at EFA (such as board members, contractors, or employees) and covers complaints received from both within and outside of EFA. Complaints are handled by the Complaints Committee, which is a three-person, rotating committee, meaning that all board members can be called upon to be part of the Complaints Committee and that this will rotate among board members after each new complaint.

When handling complaints we aim for the process to be **fair, objective, following the principles of natural justice, as confidential as possible, transparent, accessible, and efficient.**

We try to be flexible about how you can do this by including a range of options on how to do so in this policy.

Type of Complaints

Valid complaints relate to topics such as discrimination, harassment, and bullying, inaccessibility of our services, suspected financial mismanagement or misuse of funds, conflicts of interest, privacy breaches, or breach of law.

How to Make a Complaint:

By email: Please send your complaint to the Secretary at secretary@efa.org.au or to the Chair at chair@efa.org.au if the complaint involves the Secretary.

By post: Electronic Frontiers Australia Inc, Suite 46491, PO Box 16, Nobby Beach, QLD 4218

If you have experienced sexual harassment:

Please note that in addition to the option of making a formal complaint in line with this policy you also have the option of speaking to a member of the EFA board or staff which provides greater privacy and confidentiality than the formal complaint process. Through the formal complaint process, any person/s who is subject to a complaint must be promptly notified by EFA that a complaint was lodged against them and so this should be considered when making a complaint through this process. Noting the sensitivity of these topics, you should know that reporting these experiences does not necessarily

always lead to a formal investigation, and you will be given options for how your case is handled. We encourage you to report any sexual harassment or assault that is of a criminal nature to the police as well, if you feel comfortable doing so.

Seeking support:

If you need support, we encourage you to call **Lifeline** on **13 11 14** if in crisis, **Full Stop** on **1800 385 578** or **1800 RESPECT** on **1800 737 732** if the matter relates to sexual harassment or assault, or **QLife** on **1800 184 527** if the matter relates to LGBTQIA+ discrimination.

Your Rights as a Complainant

You have the right to transparency about how complaints are handled at EFA and how your complaint will be handled and to have a copy of this policy shared with you.

You have the right for your complaint to be received and acknowledged by us upon submission and receive acknowledgement within one week of its receipt. Please be aware that in rare circumstances a complaint sent by email may be filtered out as spam mail and we encourage you to contact us again if you have made a complaint by email and received no response.

You have the right to be notified of a resolution to the complaint within 30 days of when the complaint was placed, or within 60 days if a reason is given by EFA that an extension is necessary to achieve a satisfactory resolution.

You have the right to expect that your personal information and the details of your complaint will be kept confidential and shared on a need-to-know basis, limited to the complaints committee on EFA's board. (Note that anyone subject to the complaint will also, except in exceptional circumstances, be promptly informed that a complaint has been lodged and be informed of the nature of the complaint).

You have the right to be free from victimisation as a result of making a complaint, such as other consequences arising from the complaint.

You have the right to appeal and seek an internal review in certain circumstances (outlined below) if you do not agree with the decision that is the outcome of the complaints process.

You may in some circumstances have the right to make a report to external agencies (outlined below).

If you do not agree with the outcome of your complaint:

If you do not agree with the outcome of the complaint process **and** have more information that you would like to be considered or a further case to make, you may appeal or seek a review using the same complaint channels mentioned above, and have the right to one appeal or review of your complaint by the EFA Complaints Committee.

During this review, the Complaints Committee will review conflicts of interest again relevant to the case and reconsider whether its composition is appropriate for an impartial resolution and reconsider the case with the new information that is presented.

Your Rights if Subject to a Complaint

You have the right to be informed if subject to a complaint and if the complaint is accepted as a formal complaint by the organisation, except in exceptional cases where doing so poses a risk to the safety of the complainant.

You have the right for this to be done promptly, except in exceptional cases where notification is delayed because there is a strong risk of evidence tampering and destruction of evidence before review and/or investigation.

You have the right to be treated fairly and not to be discriminated against through the complaints process.

You have the right to respond to the complaint and present your version of events.

You have the right to provide relevant information, documentation, and evidence to support your version of events.

You have the right to be notified of a resolution to the complaint within 30 days of when the complaint was placed, or within 60 days if a reason is given by EFA that an extension is necessary to achieve a satisfactory resolution.

Reporting through external channels:

You may in some circumstances have the right to make a report to external agencies.

If you wish to report a serious discrimination, harassment, or bullying matter to an external body, you may have the option of reporting to the [Australian Human Rights Commission online](#) or by phone at **1300 656 419**. You can also make discrimination complaints online to the [Equality Opportunity Commission in South Australia](#) or [other state-based anti-discrimination boards](#).

If you wish to report a serious matter related to employment, you can report online to the [Fair Work Commission](#), by email to regorgs@fwc.gov.au, or by phone at **1300 341 665**. You can also [send Fair Work an anonymous tip](#). You can also report workplace health and safety issues, including psychosocial hazards, to [SafeWork SA](#) or the [workplace health and safety and workers' compensation body in your state](#).

If you wish to report suspected tax evasion or a related matter you can [report to the Australian Tax Office](#). Tax whistleblower protections may apply, and you can [learn more about tax whistleblower protections](#).

If you wish to report suspected non-compliance with the Incorporations Act or EFA's rules of association (constitution), you can make a complaint with [Consumer and Business Services](#). If you wish to report suspected non-compliance with the requirements of the ACNC Act you can [raise a concern with the Australian Charities and Not-for-Profit Commission](#).

Note that if your complaint involves criminal activity or presents an immediate threat to safety, you are encouraged to contact the police directly.

Seeking advice:

When considering your options, you may choose to seek external advice on your situation, such as from the Australian Human Rights Commission national information service at **1300 656 419** or by email at infoservice@humanrights.gov.au, or a community legal centre or lawyer.

If you are an employee you may receive general information on your rights from The Australian Unions Support Centre at **1300 486 466** or request legal advice from FairWork Australia's [Workplace Advice Service](#).

If the matter relates to disability discrimination, you may seek advice from the [Australian Centre for Disability Law](#) on **1800 800 708** if you are in NSW or see their [referrals page](#) if you are in another state or territory. You may also get assistance from an individual advocate by calling [People with Disability Australia](#) on **1800 422 015**.

How to Receive a Complaint

Any EFA board member may receive a complaint through the channels listed above or may receive a complaint verbally and assist the person in getting the complaint in writing.

In some circumstances, a person making a complaint, especially one related to discrimination, harassment, which could include sexual harassment, or bullying, may be in distress or even have experienced trauma as a result of the nature of the complaint.

It is therefore important that complaints are received and handled in a way that is trauma-informed, meaning in a way that avoids re-traumatisation, promotes agency and control of the person who has experienced trauma by giving them options, and respects confidentiality and the dignity of the people involved.

While it is important to, for example, be transparent when handling reports and investigations, this must be balanced with respecting confidentiality and the privacy of those involved, and information should only be shared on a need-to-know basis.

How to Handle a Complaint

1. Document it

When a complaint is first received, the EFA board member should immediately document it on the complaints register, including all relevant information provided by the complainant, in line with confidentiality requirements, and notify the Secretary (unless the complaint pertains to the Secretary in which case notify the Chair). Document information such as the date received, contact information of the person making the complaint, items raised by the person making the complaint and their suggested outcome, if the person has any accessibility or communication needs, and any other relevant information.

2. Confirm receipt and acknowledge complaint

Send notice to the complainant confirming we have received and acknowledge their complaint and will be in touch with them within 30 days to advise of next steps and provide a resolution or update. Communication should remain open and respectful, keeping the complainant informed of any delays throughout the process.

3. Triage to the complaint committee

The Secretary will triage complaints which meet the complaint types listed under 'types of complaints' to the Complaints Committee. Anyone who the complaint is directed towards may not serve on the committee. The Committee may choose to offer the complainant a call to discuss if there is any risk of misunderstanding between parties before assessing the case.

4. Assess Complaint (within a week)

The Complaints Committee will meet within a week to discuss and assess the complaint, potentially more than once if necessary. The complaints committee will consider any relevant legislation including the Incorporated Associations Act (SA), the Fair Work Act, and the ACNC Act. It will discuss possible resolutions, and in certain cases may decide an internal or external investigation is necessary, or that it is necessary to seek external support in handling the complaint, such as from a mediation service or community legal help, for resolution.

Note that an investigation, or involvement of a third-party, is only the best response in exceptional cases and most complaints can be resolved without the need for either of these things. Whether or not these measures are necessary depends on the complainant, the seriousness of the allegations, whether the complaint relates to a one-off event or a pattern of behaviour that may indicate systemic issues, and whether there are significant conflicts of interest present in the complaint handling. If any meetings take place involving the affected parties, either party may have an informal support person with them, with notice to all parties of their presence.

5. Investigate (if applicable)

If it is voted by the Complaints Committee that an investigation is necessary, an investigator should be selected either internally or externally who is impartial and has appropriate experience. Where this is not possible internally, an external investigator may be required, if budget permits. They will gather required information, which may include speaking to those involved, review the facts and evidence of the case, and recommend an outcome to the committee.

6. Refer externally (if applicable)

If it is voted by the Complaints Committee that external support is necessary, a mediator or a legal help service can assist in solving complex disputes, especially in situations where there are significant conflicts of interest that complicate the complaint handling process, and coming to a resolution between the parties involved.

7. Decide on and Communicate outcome (within 30 days, unless extended)

The complaints committee will vote on an outcome and once an outcome is decided on, either directly by the committee, or following a recommendation by an investigator, or a resolution achieved through a third-party, the complainant should be notified of the outcome, in writing at the minimum, and reminded of their rights for appeal or review. If this process needs to be extended to 60 days, this can be done if the complainant is notified of this and given a reason why an extension is necessary to achieve a satisfactory outcome.

8. Record Outcome and Feed Into Risk Management and Process Improvement Discussions

For transparency, and to ensure subsequent board members can continue to improve and learn from what has previously occurred, we will keep a record of how we managed the complaint or concern, the outcome (including whether any aspect was substantiated or not, any recommendations to address problems identified, and any decisions made on those recommendations), and any outstanding actions to be followed up. Finally, the complaint must link back into risk management processes and trigger the board to consider whether there is a newly identified risk to be managed or whether more could be done to control previously acknowledged risks. Process improvements identified by the committee will be added to the following board agenda for discussion.

Related Documents

- [EFA Ethical Standards](#)
- [Complaints Register](#)
- [Conflicts of Interest Policy](#)

Approved by	EFA Board	Approved date	19-08-2025
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