



# COMPLAINT RESOLUTION POLICY

## 1. Application

This policy applies to the employees and contractors (workers) of the Winslow Group (the Company).

It is not intended that this policy imposes legally binding obligations on the Company.

## 2. Introduction

The Company has appointed a number of employees to deal with issues of discrimination, harassment, sexual harassment, victimisation and bullying (**Complaints Officers**). These Complaints Officers will deal with complaints and issues that arise under the Company's Equal Employment Opportunity Policy, Diversity & Inclusion Policy, Workplace Bullying Policy, Harassment & Sexual Harassment Policy, and Health and Safety Policy.

This policy documents the processes in place to handle complaints and issues raised with Complaints Officers.

Complaints Officers will offer workers who feel they have been discriminated against, harassed, sexually harassed, victimised or bullied both informal and formal complaint resolution options.

The Company will ensure that its complaint resolution processes:

- i. treat the workers involved with respect.
- ii. are clearly documented and accessible to all.
- iii. offer both informal and formal options.
- iv. guarantee timeliness, confidentiality and objectivity.
- v. are administered by trained personnel.
- vi. are based on the principles of natural justice.
- vii. are regularly reviewed for effectiveness. and
- viii. incorporate sufficient flexibility to deal with each complaint effectively.

## 3. Complaints Officers

The Company's Complaints Officers are:

- i. **Peter Smoljko, IR Manager.**
- ii. **Larissa Farnan, HR Manager**

A Complaints Officer may assist a complainant or a respondent to a complaint by:

- iii. providing information about this policy and procedures available under this policy.
- iv. discussing the options available to them, including making a complaint to an external body.
- v. encouraging the complainant or respondent to seek the type of support that they need and providing referrals as appropriate. and
- vi. exploring strategies to resolve the matter.



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If a worker wishes to make a complaint under this policy but feels that it would be inappropriate to approach one of the Complaints Officers, that worker should approach the **Commercial Manager**, who will administer the policy in place of a Complaints Officer.

## 4. Informal complaint procedures

Informal procedures emphasise resolution rather than factual proof or substantiation of a complaint.

### a. Modes of informal complaint procedure

Informal ways of dealing with complaints of discrimination, harassment, sexual harassment, victimisation or bullying can include the following:

- i. The worker who feels they have been discriminated against, harassed, sexually harassed, victimised or bullied deals with the situation themselves, in doing so they may seek advice on possible strategies from their immediate superior, a member of the HSEQ team or a Complaints Officer.
  - ii. The worker who feels they have been discriminated against, harassed, sexually harassed, victimised or bullied asks their Supervisor to speak to the respondent on their behalf. The Supervisor privately conveys the worker's concerns and reiterates the Company's policy to the respondent without assessing the merits of the case.
  - iii. A complaint is made and put to the respondent, the respondent admits the behaviour, investigation is not required and the complaint can be resolved through conciliation or counselling.
- b. When is an informal complaint procedure appropriate?

An informal complaint procedure is usually appropriate where:

- i. the allegations are of a less serious nature but the worker subjected to the alleged discrimination, harassment, sexually harassment, victimisation or bullying wants it to cease nonetheless. or
- ii. the worker subjected to the alleged discrimination, harassment, sexually harassment, victimisation or bullying wishes to pursue an informal resolution. or
- iii. the parties are likely to have ongoing contact with one another and the worker subjected to the alleged discrimination, harassment, sexually harassment, victimisation or bullying wishes to pursue an informal resolution so that the working relationship can be sustained.

## 5. Formal complaint procedures

Formal procedures focus on proving whether a complaint is substantiated.

A worker who feels they have been discriminated against, harassed, sexually harassed, victimised or bullied has the right to formalise their complaint at any stage.

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Workers will not be disadvantaged in their employment conditions or opportunities as a result of lodging a formal complaint.

a. Process of formal complaint procedures

A formal complaint procedure will usually involve:

- i. appointment of an investigator who may be an employee of the Company or an external investigator.
- ii. investigation of the allegations by the investigator, including speaking to the parties and if necessary speaking to third parties or gathering other information, such as viewing video surveillance footage or computer data.
- iii. application by the investigator of the principles of natural justice, which includes full disclosure of the allegations and issues to the parties involved, the opportunity for each party to respond to the allegations and adopting a process that is fair and appears fair to all employees.
- iv. the investigator, after considering all available evidence, making a finding as to whether the allegations made can be substantiated.
- v. the investigator submitting a report setting out the investigator's findings, which may include a recommended course of action to the appropriate decision-maker. and
- vi. implementation of an appropriate outcome as determined by the decision maker.

Any report created as a result of a complaint made under this policy will remain the property of the Company and may be the subject of legal privilege.

The parties should be permitted to have a support person accompany them to any interviews or meetings. The support person is not permitted to speak on behalf of the parties.

b. When is a formal complaint procedure appropriate

A formal procedure is usually appropriate where:

- i. informal attempts at resolution have failed.
- ii. the worker alleging discrimination, harassment, sexually harassment, or bullying has been victimised for making a complaint or intending to make a complaint.
- iii. the complaint involves serious allegations of misconduct and informal resolution could compromise the rights of the parties.
- iv. the complaint is against a more senior member of the Company. Formal procedures may help to ensure that the worker who feels they have been discriminated against, harassed, sexually harassment or bullied is not victimised, further victimised or disadvantaged.
- v. the allegations are denied, the worker who claims to have been discriminated against, harassed, sexually harassed, victimised or bullied wishes to proceed and investigation is required to substantiate the complaint. or
- vi. the worker alleging discrimination, harassment, sexual harassment, victimisation or bullying wishes to make a formal complaint from the outset.

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## c. Possible outcomes of a formal complaint

If a complaint is substantiated, the outcomes could include any, or a combination, of the following:

- (1) counselling.
- (i) disciplinary action (e.g. demotion, transfer, suspension, probation or dismissal).
- (j) official warnings that are noted on the perpetrator's personnel file.
- (k) formal apologies.
- (l) conciliation/mediation conducted by an impartial third party where the parties to the complaint agree to a mutually acceptable resolution.
- (m) Re-crediting any leave taken as a result of the discrimination, harassment, sexually harassment, victimisation or bullying.

Outcomes will depend on factors such as: the severity or frequency or the unacceptable behaviour.

- (n) the impact of the conduct of the respondent on the complainant.
- (o) whether the respondent could have been expected to know that such behaviour was a breach of policy.
- (p) the level of contrition shown by the respondent. and
- (q) whether the respondent has received any prior warnings regarding the conduct the subject of the complaint or been involved in any similar prior incidents.

## 6. Unsubstantiated claims

If a complaint is found to be unsubstantiated, no further action will be taken unless it is found that the complaint was made vexatiously or was knowingly false, in which case disciplinary action may be taken against the complainant.

## 7. Confidentiality

Any complaint made pursuant to this policy will be treated confidentially. To the extent possible, the Company will maintain confidentiality throughout the course of any complaint resolution procedure with outcomes communicated either verbally or in writing only to relevant parties (complainants & respondents) and only to the extent necessary.

## 8. Victimisation

A worker who makes a complaint, or intends to make a complaint about discrimination, harassment, sexual harassment or bullying is protected from being victimised.

This protection extends to a worker who gives evidence or information in connection with such complaint and to an employee who makes an allegation of discrimination, harassment, sexual harassment or bullying even if no formal complaint is made.

If a worker feels they have been victimised for bringing a complaint under this policy, they can pursue a victimisation complaint under this policy, and it will be dealt with in the same manner as a complaint for harassment, sexual harassment, discrimination or bullying.

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Victimisation is unlawful under State and Federal laws and will not be tolerated by the Company.

## 9. Breach of this policy

Disciplinary action may be taken against workers who breach this policy. Breaches of this policy will be considered to be misconduct or serious misconduct, and in the most serious cases, may result in dismissal or termination of engagement.

## 10. Further information

All employees should refer and remain familiar with the Company policies available in the Employee Handbook and on our Business Management System (BMS).



**TREVOR LOCKWOOD**  
**Chief Executive Officer**

Date: 06/07/2023