



COMPLAINTS HANDLING PROCEDURE EMPLOYEES OF THE EASTERN WASTE MANAGEMENT AUTHORITY (EAST WASTE)

Introduction

This Complaints Handling Procedure is to be used in conjunction with the Code of Conduct for East Waste employees.

It is to be used to address any complaints relating to the Code.

Principle

The General Manager is responsible for promoting the provisions of the Code of Conduct to all employees. The General Manager is responsible for investigating and addressing complaints made in relation to the Code.

If a complaint is made against the General Manager, the Chairperson of the Board is the responsible person.

Definitions

Corruption This could involve dishonesty, failure to exercise certain functions/duties, a breach of public trust or a misuse of information or material.

Fraud Misrepresentation or concealment of information in order to deceive or mislead.

Complaints Process

1. Making a Complaint

1.1 A complaint alleging a breach of the Code of Conduct must:

- be in writing;
- be marked confidential;
- identify the provisions of the Code which are alleged to have been breached;
- provide sufficient detail to support the allegation; and
- be addressed to the General Manager, or in the case of an alleged breach by the General Manager, to the Chairperson of the Board.

- 1.2 Anonymous complaints will not be investigated.
- 1.3 A complaint can be made by any person including a work colleague, a member of the Board or a member of the public.
- 1.4 Complaints must be lodged within three (1) month of the date of the alleged breach of the Code of Conduct, or becoming aware of the alleged breach.
- 1.5 The complaint will be acknowledged within three (5) working days of it being received.
- 1.6 The complaint, its investigation and outcome will be treated in strict confidence. The complainant will also be expected to observe confidentiality.

Allegations of fraud or corruption

An allegation of fraud or corruption will not be investigated by the Authority but will be referred to the Anti Corruption Branch of the SA Police.

2. Assessment of the Complaint

- 2.1 The General Manager (or the Chairperson of the Board if the General Manager is the subject of the complaint) will appoint an Investigating Officer to manage the handling of the complaint. This could be an external person if it is deemed appropriate.
- 2.2 The General Manager (or the Chairperson of the Board as appropriate) will determine whether the breach of the Code warrants suspension of the employee from their duties during the investigation.

2.3 Role of the Investigating Officer

The Investigating Officer will:

- conduct a thorough investigation into the complaint, using all available evidence;
- ensure that the employee is informed concerning entitlement to representation; and
- ensure that the investigation is conducted in confidence, with due regard to procedural fairness and natural justice; or
- recommend that the complaint be dismissed if there is found to be no basis for it. The General Manager will be informed in writing (or the Chairperson of the Board if the General Manager is the subject of the complaint). If it is found that a complaint has been made maliciously and in bad faith, the General Manager can take disciplinary action against the complainant.

3. Result of Investigation

3.1 The findings of the Investigating Officer are to be provided in writing to the complainant and the employee.

3.2 Any disciplinary action to be taken against the employee as a result of the findings will be in accordance with the Authority's disciplinary procedures.

Availability of Procedure

The Complaints Handling Procedure (along with the Code of Conduct for Employees) is available for inspection at the office of East Waste during business hours and is on the Authority's website www.eastwaste.com

Statement of Adoption and Review

This Procedure was adopted by the Eastern Waste Board on 26th November 2009 and will be reviewed in conjunction with the Code of Conduct at least once within four (4) years of the adoption date.