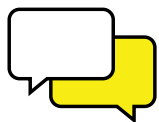


# Human Rights of First Nations Stakeholders Grievance Process



## FAQs

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### How can I raise a grievance through this Process?

Currently a grievance can be raised with CBA by sending an email to [FirstNations\\_Grievance@cba.com.au](mailto:FirstNations_Grievance@cba.com.au). Additional ways to raise grievances may be made available over time.

If you wish to raise a grievance by phone, please send an email to [FirstNations\\_Grievance@cba.com.au](mailto:FirstNations_Grievance@cba.com.au) with your contact details and we will call you to understand your concerns.

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### Can I raise any grievance through this Process?

This Process can only be used by First Nations Stakeholders or their legitimate representatives if their concerns:

- relate to a human rights impact to First Nations Stakeholders connected with CBA's business lending activities with a current or former Client; and
- relate to Client activities that occurred while CBA was in a business lending relationship with the Client.

Under this Process, a 'human rights impact' means a situation where an individual or group is unable, or less able, to enjoy their human rights. Human rights are rights that every person has, and which are internationally recognised, as set out in the International Bill of Human Rights and the International Labour Organisation's Declaration on Fundamental Principles and Rights at Work.

A concern about a human rights impact that may be eligible for this Process may include, for example, a concern that one of CBA's Clients may have impacted a First Nations Stakeholder's right to:

- safe and healthy working conditions; or
- be free from unlawful interference with their privacy; or
- take part in cultural life; or
- freedom from discrimination in employment based on race; or
- freedom from forced labour.

Only eligible grievances can be considered as part of this Process. When a grievance is raised, CBA will assess whether it is eligible, including by considering whether:

- the grievance is raised by a First Nations Stakeholder or their legitimate representative;
- the grievance is related to a human rights impact on First Nations peoples connected to CBA's business lending activity with a current or former Client;
- the grievance is related to CBA; and
- the grievance is made in good faith.

### **3 I am not happy with a product or service provided to me by CBA, can I use this Process to raise concerns about that?**

Only grievances that meet the requirements in question 2 can be raised using this Process.

If your concerns relate to a product or service provided to you by CBA, our staff or the handling of a customer complaint, please click [here](#) for more information about making a complaint through CBA's separate complaint handling process.

### **4 What might be the outcome of my grievance?**

Depending on the circumstances, this Process may help:

- provide a channel for First Nations Stakeholders to raise grievances and for CBA to listen to those grievances;
- start a conversation between First Nations Stakeholders, CBA and the Client;

- CBA to consider our potential connection, if any, to a human rights impact;
- where appropriate, CBA to consider ways to respond to and/or resolve the grievance (depending on CBA's connection, if any, to the impact); and
- where appropriate, give CBA an opportunity to improve our policies and processes.

## **5 Can I raise an anonymous grievance?**

Grievances can be raised anonymously. However, if you do not want to give CBA your details, it may impact our ability to review the grievance, speak with you about it and reach a resolution.

## **6 Can I raise a grievance in my language?**

Grievances can be raised in any language. However, we ask that you let us know which language you speak so that we can make sure we get the right translation services.

## **7 Am I able to access a translator?**

CBA will make translation services available at our cost to First Nations Stakeholders who wish to raise a grievance in their language.

## **8 Who can raise a grievance through this Process?**

First Nations Stakeholders or their legitimate representatives are able to raise a grievance through this Process (see FAQ 2 in this document).

## **9 Do I need a lawyer to raise a grievance?**

You do not need a lawyer to raise a grievance. However, if you find it helpful, you may choose to engage a lawyer or other representative to assist you. This will be at your cost.

## **10 Can all or part of my grievance be kept confidential?**

You can ask that all or part of your grievance be kept confidential. However, we may need to disclose certain information about your grievance from time to time. This may include where we are requesting consent from a Client to disclose a lending relationship.

Before disclosing any information about your grievance with someone else, CBA will consider whether your consent for the disclosure is reasonably required in the circumstances.

If we believe we need your consent, we will contact you to understand whether you are comfortable for us to contact the Client or someone else, and the information you are happy for us to share with them. If you do not consent, we may not be able to review your grievance properly, talk with the Client or reach a resolution.

Where a grievance or parts of it have been published or made available to the public by, or at the request of, First Nations Stakeholders or their representatives, we will not treat that information as confidential. This means we may disclose the information to other people as part of this Process.

## **11 Will you report or disclose my grievance to the government or other authorities?**

Your grievance will not be reported or disclosed to the government or other authorities unless we are required to do so under a legal or regulatory request or requirement. If we are required to report the grievance, we will let you know where practicable.

## **12 Will you let me know when you receive my grievance?**

We will aim to let you know that we have received your grievance within two business days.

Please note that timeframes in this Process are a guide only. Some factors such as complexity and issues of confidentiality may affect our ability to respond within the timeframe suggested.

## **13 What is 'Client consent' and why do you need this?**

CBA is required to keep our business lending relationships with our Clients confidential. This means that we can only disclose that a business lending relationship exists (or existed at the relevant time) where the law permits or the Client consents to us doing so.

We will aim to contact the Client within five business days after letting you know we've received your grievance. The time that it takes for us to discuss the grievance with the Client will vary. However, we will keep you updated on our progress.

If we believe we need your consent to contact the Client, we will contact you to understand whether you are comfortable for us to contact the Client, and the information you are happy for us to share with them. If you do not consent, we may not be able to review your grievance properly, talk with the Client or reach a resolution.

Where a grievance or parts of it have been published or made available to the public by or at the request of First Nations Stakeholders or their representatives, we will not treat that information as confidential. This means we may disclose the information to other people as part of this Process.

## **14** What happens if a Client does not give their consent?

If the Client does not consent, CBA may, as we consider appropriate:

- take steps to confirm our connection, if any, to the human rights impact raised in the grievance;
- act reasonably using appropriate influence with the Client to obtain their consent, or otherwise, as we consider appropriate, to seek to resolve the grievance; and/or
- make improvements to our policies and processes.

## **15** What happens after I make a grievance?

Where we reasonably can, within ten business days of confirming with you that we've received your grievance:

- we will do an initial review of the concerns raised;
- we will acknowledge your grievance in writing and give you a summary of this Process; and
- we will try to call you to discuss your grievance and this Process.

## 16 What is an eligible grievance?

Only eligible grievances can be considered as part of this Process. When a grievance is raised, CBA will assess whether it is eligible, including by considering whether:

- the grievance is raised by a First Nations Stakeholder or their legitimate representative;
- the grievance is related to a human rights impact on First Nations peoples connected to CBA's business lending activity with a current or former Client;
- the grievance is related to CBA; and
- the grievance is made in good faith.

## 17 When will I find out if my grievance is eligible to be considered as part of this Process?

We will aim to let you know whether your grievance has been accepted as an eligible grievance within one month of confirming we have received it. This timeframe will depend on various factors, including whether we get consent from the Client and the overall complexity of the grievance. We will keep you updated on our progress.

## 18 Who can I contact to get an update on my grievance?

We will try to contact you within ten business days of receiving your grievance to give you a written acknowledgement of your grievance and a summary of this Process. We will include the details of the person you can contact to get an update on the status of your grievance with the summary.



## 19 What will happen if my grievance is accepted as eligible and the Client gives their consent?

If a grievance is accepted and the Client gives their consent to disclose their business lending relationship with CBA, we will:

- decide the next steps including whether we will investigate and what the investigation will involve;
- assess the extent of our connection, if any, to the human rights impact that is raised in the grievance. This may involve talking with you, subject matter experts and other people who may be helpful to the investigation;
- give you an opportunity to provide any further information about your grievance and the outcome you're seeking; and
- work to resolve the grievance using informal and flexible approaches. If appropriate and agreed between you, the Client and CBA, an independent person or expert may help reach a resolution.

## 20 Will anyone else be involved in the investigation of my grievance?

Other people may be involved in this Process depending on the circumstances, for example where:

- a translator is requested;
- a Client is made aware of a grievance to get their consent;
- you, the Client and CBA agree to engage an independent person to help with discussions;
- an expert is asked to assist with reaching a resolution; and
- other people deemed by CBA to be important to the investigation.

## 21 What is the timeframe for a grievance to be finalised?

We will try to conclude the review of our connection, if any, to the human rights impact, and where we can, resolve the grievance within a reasonable timeframe. This timeframe will depend on the type and complexity of the human rights impact.

## 22 Can I give feedback on my experience once my grievance has been resolved?

You can provide feedback on this Process at any time by sending an email to [reconciliationactionplan@cba.com.au](mailto:reconciliationactionplan@cba.com.au).

## 23 I have feedback on CBA's Reconciliation Action Plan, who can I share that with?

You can provide feedback on CBA's Reconciliation Action Plan at any time by sending an email to [reconciliationactionplan@cba.com.au](mailto:reconciliationactionplan@cba.com.au).

### Key terms

<b>Client</b>	A customer of CBA who is relationship managed by either Business Banking or Institutional Banking and Markets with financing transactions of AUD\$5 Million or greater.
<b>First Nations Stakeholder</b>	An Australian First Nations person or people who consider their human rights have been directly impacted or are likely to be directly impacted as a result of CBA's business lending activity to its current or former Clients.
<b>Human Rights Impact</b>	A situation where an individual or group is unable, or less able, to enjoy their human rights. Human rights are rights that every person has, and which are internationally recognised, as set out in the International Bill of Human Rights and the International Labour Organisation's Declaration on Fundamental Principles and Rights at Work.
<b>Process</b>	CBA's Human Rights of First Nations Stakeholders Grievance Process, comprising this Human Rights Grievance Process Framework, the <a href="#">FAQs</a> and the <a href="#">flow chart</a> .