

Whistleblower Reporting Policy

29 March 2018

1. PURPOSE

The Board of Directors and Executive team of RSL LifeCare Limited (RSLLC) recognise that any genuine commitment to detect and prevent illegal, corrupt and unethical conduct must include a mechanism whereby employees and others can report their concerns freely and without fear of reprisal, dismissal or discriminatory treatment.

The Whistleblower Reporting Policy (Policy) provides a mechanism to report information alleging that any of RSLLC's directors or employees have engaged in Serious Misconduct and/or breached RSLLC's Codes of Conduct.

This Policy is one of a number of policies and codes that promote a culture of conducting our business with honesty, fairness, and integrity and promoting continuous improvement. The Policy has been developed to ensure that such allegations are investigated confidentially, promptly and fairly, and that the person making the report is afforded appropriate protection and support.

Providing appropriate support to residents is our top priority. Therefore, this policy does not relate to RSLLC's employees compulsory reporting requirements covered by the *Aged Care Act 1997*. This includes any allegation of suspected abuse of a resident or reporting that a resident is missing. Employees must report such matters immediately to the senior manager on duty. Refer to Attachments 1 and 2 for clarity around steps needed.

Stopline is not to be used in place of compulsory reporting requirements under the *Aged Care Act 1997* or other legislation where compulsory reporting requirements exist.

2. SCOPE

This Policy applies to all RSLLC operations and its directors and employees, regardless of seniority.

This Policy complements RSLLC's complaints policies and in addition provides RSLLC employees with a point of contact outside RSLLC.

This Policy does not in any way limit, exclude or obfuscate the responsibilities or protections afforded to individuals making a protected disclosure under the *Corporations Act 2001 (Cth)*.

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Version: 1
Page: 1 of 6

This Policy does not in any way limit, exclude or obfuscate the responsibilities or protections afforded to individuals making a protected disclosure under the Aged Care Act 1997 (Cth).

All RSLLC employees must abide by RSLLC's compulsory reporting policy – [RCPR53 Compulsory Reporting Guidelines for Residential Care and Packaged Care](#).

This Policy does not relate to compulsory reporting matters covered by the Aged Care Act 1997 as explained immediately above.

3. DEFINITIONS

Disclosure and Protection Officer (DPO)	A designated RSLLC representative responsible for protecting the interests of Whistleblowers within the meaning of this Policy. The DPO will have access to independent financial, legal and operational advisers as required. The DPO's are the EGM Legal and Compliance, the EGM People and the Risk and Audit Manager.
Ethics Hotline	This is the confidential disclosure service operated by an external company, Stopline Pty Ltd available 24 hours a day, 365 days a year.
RSLLC employees	All staff and persons performing functions in or for LifeCare, including persons engaged on an ongoing or non-ongoing basis, contract workers, consultants, volunteers and persons seconded to RSLLC.
Serious Misconduct	<p>a) corrupt conduct; b) fraudulent activity; c) a substantial mismanagement of RSLLC resources; d) conduct involving substantial risk to public health, safety or the environment, that would, if proven, constitute:</p> <ul style="list-style-type: none"> • a criminal offence; • reasonable grounds for dismissing or dispensing with the services of the RSLLC employee who was, or is, engaged in that conduct; or • reasonable grounds for disciplinary action.
Whistleblower	A person who reports information alleging Serious Misconduct or a breach of RSLLC's Code of Conduct and Responsibilities of Staff by LifeCare employees.
Whistleblowing	The reporting of information alleging serious misconduct or a breach of RSLLC's Code of Conduct and Responsibilities of Staff by LifeCare employees.

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Version: 1

Page: 2 of 6

4. REPORTING MECHANISMS

RSLLC employees are encouraged and have the responsibility to report any known or suspected incidence of Serious Misconduct and/or breach of RSLLC's Code of Conduct by making a disclosure in accordance with this Policy, other than for compulsory reporting matters, which must be reported to the manager immediately.

4.1 INTERNAL REPORTING

Whistleblowers should first look to report suspected Serious Misconduct and breaches of RSLLC's *Code of Conduct and Responsibility of Staff* internally.

Whistleblowers should first consider discussing the matter informally with their direct Line Manager or the responsible General Manager; Executive General Manager or the Executive General Manager, People. This allows review of the matter to determine whether an incident of Serious Misconduct has occurred. This is an opportune time to clarify the incident, ask questions and become familiar with the internal complaints and grievance policies. At all times, discussions will remain confidential.

This may not be appropriate, where the Whistleblower does not feel comfortable in doing so, where the Whistleblower genuinely fears reprisal or where the Whistleblower has previously done so and believes no action has been taken. In these circumstances the Whistleblower may contact the Ethics Hotline.

4.2 EXTERNAL REPORTING

If the Whistleblower reasonably believes reporting internally is not an option, then external reporting is the next step via the Ethics Hotline.

Stopleveline is an independent whistleblowing service contracted by RSLLC to provide the Ethics Hotline. Stopleveline have several methods of receiving a disclosure, although a telephone call is preferred so that sufficient information can be obtained to enable the conduct of an appropriate investigation. Stopleveline do not have incoming or outgoing caller ID.

Telephone	Toll free from within Australia – 1300 304 550
Telephone operating hours	24-hour telephone response service
Post	RSL LifeCare, c/- Stopleveline Locked Bag 8, Hawthorn Vic 3122
Facsimile	RSL LifeCare, c/- Stopleveline +61 3 9882 4480
Email	rsllifecare@stopline.com.au
Online	http://rsllifecare.stoplinereport.com
Smart Phone APP	Search for stopline or stop247 and download from the APP store or Google Play.

The External Contact Person from Stopleveline will inform an appropriate RSLLC DPO of the details of any report received.

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Next review: February 2019

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Version: 1

Page: 3 of 6

4.3 CONFIDENTIALITY

Any report, and the identity of the Whistleblower, will be kept confidential to the extent permitted by law.

Reports can be made anonymously, however this may hinder the ability of RSLLC to properly investigate a matter.

Depending on the nature of the report, a report may also be required to be made to the Police, the Department of Health (to comply with any compulsory reporting obligations), or RSL NSW (if the disclosure relates to LifeCare's corporate member).

For more information on how the Ethics Hotline works go to www.rsllifecare.stoplينerreport.com.

5. INVESTIGATING REPORTS

The DPO will review the report from Stopline and ensure that appropriate action is taken. Investigation processes will vary depending on the precise nature of the conduct being investigated. The DPO will ensure the allegations are investigated confidentially, promptly and fairly.

The purpose of the of the investigation is to determine whether the concerns are substantiated, with a view to RSLLC rectifying any wrongdoing uncovered to the extent that it is practical in all the circumstances or whether it needs to be referred to another agency such as the police.

6. PROTECTION OF WHISTLEBLOWER

RSLLC is committed to the protection of genuine Whistleblowers against action taken in reprisal for making reports. For this policy, protected reports are defined as:

"Any good faith communication based on reasonable grounds that discloses (or demonstrates an intention to disclose) information that may provide evidence of Serious Misconduct and/or a serious breach of RSLLC's Codes of Conduct."

LifeCare may not be able to extend the full level of protections and support set out in the Policy to Whistleblowers who are not directly employed by RSLLC.

RSLLC will not tolerate any instances of legitimate Whistleblowers being:

- dismissed;
- demoted;
- subjected to any form of harassment and persecution; or
- discriminated against.

A Whistleblower who believes he or she, or his or her family, has been the victim of any of the above, by reason of their status as a Whistleblower, should immediately report the matter to the DPO.

Where an incident of this nature occurs, the RSLLC Policy, [HR05 Harassment](#) will apply.

Approval date: 29 March 2018

Next review: February 2019

Approved by: RSL LifeCare Board

Policy owner: Executive General Manager – Legal and Compliance

Version: 1

Page: 4 of 6

Any RSLLC employee or director who is found to have dismissed, demoted, harassed, or discriminated against a Whistleblower by reason of their status as a Whistleblower, will be subject to disciplinary measures.

7. FALSE REPORTING

A false report could have significant effects on RSLLC's reputation and the reputations of other staff members and could cause considerable waste of time, effort and resources.

Any deliberately false report by an RSL employee, whether under this Policy or otherwise, will be treated as a disciplinary matter.

8. AMNESTY

If a Whistleblower reports conduct in which the Whistleblower themselves may be implicated, RSLLC will consider providing that person with an amnesty against civil liability to the extent permitted by law.

Any request for amnesty should be made by the Whistleblower at the time the report is made. A person requesting amnesty must actively cooperate in any required investigation.

If the request for amnesty is granted, RSLLC agrees to take no further civil action against a person who voluntarily comes forward under this Policy. Further, RSLLC agrees that it will take the fact that the report was made voluntarily into account as a mitigating factor in any required employment disciplinary action.

A Whistleblower cannot, however, be protected under this policy from any criminal liability which may arise from their own conduct.

9. GENERAL REPORTING OF INCIDENTS

Separate to the reporting described elsewhere in this policy, all employees have a duty to report any incident or situation that:

- presents (or could present) a risk to the safety of employees or other parties;
- constitutes a breach of any law or regulation (or could result in a breach);
- could adversely impact LifeCare's reputation, or its relationship with a customer; or
- results (or may result) in avoidable financial loss to RSLLC.

These incidents should be reported directly to the employee's manager or supervisor, with a copy also provided to the Executive General Manager - Legal and Compliance.

In all cases, a written record of the report should be retained by the employee reporting the incident. General Incident reporting is covered by RSLLC Policy [RC05 Incident Reporting](#).

10. FEEDBACK

If the identity of the Whistleblower is known to the DPO, the Whistleblower will be kept informed of the outcome of the investigation of his or her report by the DPO, subject to privacy and confidentiality

Approval date: 29 March 2018

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Approved by: RSL LifeCare Board

Policy owner: Executive General Manager – Legal and Compliance

Version: 1

Page: 5 of 6

considerations. If the identity of the Whistleblower is not known, he or she will be kept informed by Stopline. All Whistleblowers must retain confidentiality of all such reports and not disclose details to any person.

11. COMMUNICATION

The existence and operation of this Policy should be promoted openly within RSLLC with formal communication occurring at least once a year. It should be incorporated into induction activities for new employees.

12. FURTHER INFORMATION

For further information about this Policy and the Procedures supporting this Policy, please contact the Executive General Manager - Legal and Compliance.

13. POLICY REVIEW

Human Resources will maintain processes to monitor the welfare of Whistleblowers under this policy, to ensure the effectiveness of protections offered under the policy

ARMAC is to be provided with quarterly reports on whistleblowing. Any systemic issues or trends identified should be corrected and communicated within the company to increase awareness and foster a culture of continual improvement.

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Page: 6 of 6