

## WHISTLEBLOWERS

Whistleblowers play an important role in identifying and calling out misconduct. To encourage whistleblowers to come forward with their concerns and protect them when they do, the *Corporations Act 2001* (“**the Act**”) gives certain people legal rights and protections as whistleblowers. In accordance with the Act, RHealth has introduced a Whistleblower Policy – see RHealth internet.

RHealth values the people who report potential misconduct or breaches of the law and take the concerns whistleblowers raise with us seriously. Most people with a connection to RHealth who may observe or be affected by misconduct can access the legal rights and protections for whistleblowers. These protections also extend to spouses and relatives. (s 1317AAA)

## WHAT CAN I DISCLOSE?

You must have reasonable grounds to suspect that the information you are disclosing about RHealth concerns misconduct, or an improper state of affairs or circumstances.

This information or ‘Reportable Conduct’ can be about RHealth, or an officer or employee of RHealth, engaging in conduct that:

- breaches the Act;
- breaches other financial sector laws enforced by the ASIC or APRA;
- breaches an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months, or
- represents a danger to the public or the financial system.

(s 1317AA(4)-(5))

## HOW DO I ACCESS WHISTLEBLOWER PROTECTIONS?

If you believe you are a whistleblower with information about misconduct or potential breaches of the law within RHealth, you access the whistleblower rights and protections when you report or disclose your concerns to any of the eligible recipients listed below. (s 1317AA(1)-(2))

## WHO DO I MAKE A DISCLOSURE TO?

Any person who seeking to make a disclosure of Reportable Conduct, is encouraged to contact our internal Whistleblower Complaints Officer (WCO).

Trish Leddington-Hill

Mobile: 0488 024 728 E: [trish@rhealth.com.au](mailto:trish@rhealth.com.au)

If you don’t feel comfortable contacting the internal Whistleblower Complaints Officer, you can contact the external Whistleblower Complaints Officer.

Mr Daryl Myatt

Mobile: 0427 916 662 E: [daryl@realprojects.com.au](mailto:daryl@realprojects.com.au)

Disclosure can also be made to:

- an officer or senior manager of RHealth;
- the Australian Securities and Investments Commission (ASIC), Phone: 1300 300 630;
- the Australian Prudential Regulation Authority (APRA); phone 1300 558 849;
- a legal practitioner for the purposes of obtaining legal advice or representation.

While you may contact any of the eligible recipients listed above to disclose Reportable Conduct, the process of review and investigation may be handled more efficiently if it is made to the WCO in the first instance.

You must have reasonable grounds to suspect that the information you disclose is Reportable Conduct. Matters that are not Reportable Conduct do not qualify for protection under the Whistleblower Policy or the Act. Personal work-related grievance should be reported in accordance with RHealth's Complaints Policy. It is a breach of the Whistleblower Policy to deliberately make a false report or to make a report without reasonable grounds.

## **PROTECTIONS**

Disclosures can be made anonymously and will still be protected under the Whistleblower Policy and the Act. The identity of any person making a disclosure of Reportable Conduct will be kept confidential, unless the discloser gives permission for their identity to be disclosed. (s 1317AAE)

RHealth will protect any person who makes a disclosure from detrimental conduct. Examples of detrimental conduct include dismissal, injury, change to employment, discrimination harassment, psychological harm, damage to property, reputation, business or financial position, and any other damage. (s 1317ADA)

## **WHAT WILL HAPPEN NEXT?**

When a disclosure of Reportable Conduct is received, RHealth will appoint a Decision Maker to investigate the information. Any investigation will be conducted in accordance with the rules of natural justice. If appropriate, a report will be provided to the Board and the Board will decide whether to adopt the recommendations of the Decision Maker. If required, the Board will notify any relevant external body of an investigation.

Any person who is mentioned in a disclosure, including those who are the subject of Reportable Conduct, will be treated fairly and will be offered support through RHealth's Employee Assistance Program. To the extent possible, the person who makes the disclosure will be kept informed and will also be offered support through RHealth's [Employee Assistance Program].

## **PUBLIC INTEREST DISCLOSURE**

If 90 days pass following the disclosure of Reportable Conduct and you have reasonable grounds to believe that action has not been taken to address your concerns, you can notify RHealth in writing that you intend to make a public interest disclosure. You must have reasonable grounds to believe that making a further disclosure would be in the public interest. A public interest disclosure can be made to a journalist or a member of parliament. (s 1317AAD)

## **MORE INFORMATION**

For more information, speak to the Whistleblower Complaints Officer, or visit the ASIC website: <https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/>.