



## **1. PURPOSE**

- 1.1 To provide the framework to sustain an organisational culture which is resistant to misconduct and offers a safe and secure means for disclosure of possible misconduct.

## **2. SCOPE**

- 1.2 The Whistleblower Policy applies to any person who is or has been any of the following with respect to RHealth or a related body corporate:
- an officer or employee;
    - e.g. current and former employees who are permanent, part-time, fixed-term or temporary, interns, secondees, managers and directors)
  - a supplier of goods to the entity (whether paid or unpaid), including their employees;
    - e.g. current and former contractors, consultants, service providers and business partners
  - an associate of the entity; and
  - a relative, dependent or spouse of an individual listed above.
    - e.g. relatives, dependents or spouse of current and former employees, contractors, consultants, service providers, suppliers and business partners.

## **3. POLICY STATEMENT**

- 3.1 RHealth recognises that a transparent Whistleblower Policy is essential to good risk management and corporate governance.
- 3.2 Consistent with the law and RHealth's Code of Conduct, the objectives of the Whistleblower Policy are to:
- encourage disclosure of possible misconduct;
  - help deter wrongdoing, in line with RHealth's risk management and governance framework;
  - ensure individuals who disclose misconduct can do so safely, securely and with confidence that they will be protected and supported;
  - ensure disclosures are dealt with appropriately and on a timely basis;
  - provide transparency around RHealth's framework for receiving, handling and investigating disclosures;
  - support RHealth's long-term sustainability and reputation; and
  - meet RHealth's legal and regulatory obligations.

## **4. PRINCIPLES**

- 4.1 Mitigation of misconduct is assisted through the development of a framework where individuals who disclose Reportable Conduct are protected.
- 4.2 An effective framework involves identifying key risks to whistleblowers.
- 4.3 Monitoring and review of the Whistleblower Policy should be a normal part of the management process.
- 4.4 Robust mechanisms will be established to encourage and support the reporting of suspected Reportable Conduct by individuals from within and outside RHealth, including anonymous reports.
- 4.5 All reasonable measures will be taken to ensure that potential whistleblowers are aware of their rights to protection under the legislation and their right to compensation if relevant.
- 4.6 All reasonable measures will be taken to support a person who discloses suspected misconduct and provide protection from Detrimental Conduct as a result of making a disclosure.
- 4.7 Disclosures of Reportable Conduct will be investigated and, if required, will be reported to the relevant external body.



- 4.8 A person shall not make a disclosure under the Whistleblower Policy unless that person has reasonable grounds to suspect that the information is Reportable Conduct.
- 4.9 Procedures defining the roles, responsibility, authority and powers delegated to management and investigators will be used to determine the investigation approach commensurate with the nature and seriousness of the matter.
- 4.10 Whistleblower Policy will be initially reviewed during employee induction and then regularly through RHealth's mandatory training program.

## **5. REFERENCES**

- 5.1 Australian Securities and Investment Commission [Regulatory Guide 270](#) and other guiding information – [Whistleblowing](#).

## **6. DEFINITIONS**

### **Detrimental Conduct**

Detriment Conduct includes (without limitation) any of the following:

- a. dismissal of an employee;
- b. injury of an employee in his or her employment;
- c. alteration of an employee's position or duties to his or her disadvantage;
- d. discrimination between an employee and other employees of the same employer;
- e. harassment or intimidation of a person;
- f. harm or injury to a person, including psychological harm;
- g. damage to a person's property;
- h. damage to a person's reputation;
- i. damage to a person's business or financial position;
- j. any other damage to a person.

(section 1317ADA *Corporations Act 2001*)

### **Eligible Recipient**

Each of the following is an eligible recipient in relation to a regulated entity that is a body corporate:

- a. officer or senior manager of the body corporate or a related body corporate;
- b. an auditor, or a member of an audit team conducting an audit, of the body corporate or a related body corporate;
- c. an actuary of the body corporate or a related body corporate;
- d. a person authorised by the body corporate to receive disclosures that may qualify for protection under Part 9.4AAA of the *Corporations Act*.

(section 1317AAC *Corporations Act 2001*)

### **Reportable Conduct**

- (1) Reportable conduct is conduct that a discloser has reasonable grounds to suspect that the information concerns misconduct, or an improper state of affairs or circumstances, in relation to:
  - a. the regulated entity; or
  - b. if the regulated entity is a body corporate—a related body corporate of the regulated entity, or an officer or employee of a related body corporate of the regulated entity;
- (2) Without limiting section (1), this subsection applies to a disclosure of information if the discloser has reasonable grounds to suspect that the information indicates that any of the following:
  - a. the regulated entity, or an officer or employee of the regulated entity;

- b. if the regulated entity is a body corporate—a related body corporate of the regulated entity, or an officer or employee of a related body corporate of the regulated entity; has engaged in conduct that:
- c. constitutes an offence against, or a contravention of, a provision of any of the following:
  - (i) the Corporations Act 2001;
  - (ii) the Australian Securities and Investment Commission Act 2001;
  - (iii) the Banking Act 1959;
  - (iv) the Financial Sector (Collection of Data) Act 2001;
  - (v) the Insurance Act 1973;
  - (vi) the Life Insurance Act 1995;
  - (vii) the National Consumer Credit Protection Act 2009;
  - (viii) the Superannuation Industry (Supervision) Act 1993;
  - (ix) an instrument made under an Act referred to in any of subparagraphs (i) to (viii);  
or
- d. constitutes an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more; or
- e. represents a danger to the public or the financial system; or
- f. is prescribed by the regulations for the purposes of this paragraph.  
(section 1317AA(4)-(5) *Corporations Act*)

### **Whistleblower Policy**

Whistleblower Policy includes RHealth's:

- a. Whistleblower Policy;
- b. Whistleblower Procedure; and
- c. Whistleblower Information Guide.

### **RHealth**

RHealth Limited ACN 134 174 128

## **7. MORE INFORMATION**

- 7.1 Refer to the RHealth Whistleblower Information Guide, available on the RHealth website, for additional information on how the policy operates and other particulars.

## **8. SCHEDULES**

- 8.1 The Policy must be read in conjunction with its subordinate schedules as provided below.

## **9. RELATED LEGISLATION, POLICIES AND RESOURCES**

### **Subordinate schedules**

- Whistleblower Procedure
- Whistleblower Information Guide

### **Relevant legislation and standards include but are not limited to:**

- Corporations Act 2001
- ASIC Regulatory Guide 270
- Taxation Administration Act 1953
- Australian Securities and Investment Commission Act 2001
- Banking Act 1959

- Financial Sector (Collection of Data) Act 2001
- Insurance Act 1973
- Life Insurance Act 1995
- National Consumer Credit Protection Act 2009

**Related RHealth policies & procedures:**

- Code of Conduct
- Privacy Policy
- Risk Management
- Complaints

## 10. STEWARDSHIP, VERSION CONTROL & REVIEW

<b>Executive Sponsor</b>	Chief Executive Officer	
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