

1. PURPOSE

- 1.1 To set out the processes by which RHealth will work to sustain an organisational culture which is resistant to misconduct and offers a safe and secure means for disclosure of possible misconduct.

2. SCOPE

- 2.1 An eligible whistleblower is an individual who is, or has been, any of the following in relation to RHealth:
- a. an officer or employee;
 - e.g. current and former employees who are permanent, part-time, fixed-term or temporary, interns, secondees, managers and directors)
 - b. 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
 - c. an associate of the entity; and
 - d. 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. OVERVIEW

- 3.1 This procedure sets out the processes by which RHealth’s Whistleblower Policy will be implemented.

4. PROCEDURE

- 4.1 A disclosure must be made to an eligible recipient. The role of an eligible recipient is to receive disclosures that qualify for protection. Any person who is seeking to make a disclosure of disclosable material, is encouraged to contact our internal or external Whistleblower Complaints Officers (WCO) via their contact information provided below.

Internal WCO	Trish Leddington-Hill	Mobile: 0488 024 728 E: trish@rhealth.com.au
External WCO	Mr Daryl Myatt	Mobile: 0429 916 662 E: daryl@realprojects.com.au

- 4.2 Disclosures made to RHealth WCOs are confidential.

- 4.3 Disclosures can also be made to:

- an officer or senior manager of RHealth;
 - where an officer refers to a director or company secretary of RHealth, and a senior manager would be a manager who makes or participates in making decisions that affect the whole, or a substantial part, of RHealth, or has the capacity to significantly affect RHealth’s financial standing
- 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 any of the eligible recipients listed above may be contacted 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. This would enable a wrongdoing to be identified and addressed as early as possible and would help to build confidence and trust in the Whistleblower policy, processes and procedure. In spite of this, if a disclosure is made to an eligible recipient outside of RHealth, it will still qualify for protection under the Act.



In order to qualify for protection under the Act, the disclosure must be made to one of the eligible recipients referred to above.

- 4.4 Disclosures can be made anonymously and will qualify for protection under the RHealth Whistleblower Policy and under the *Corporations Act*.
- 4.5 In the event that the person who makes the disclosure of Reportable Conduct suffers harm for making that disclosure, they may be entitled to compensation.
- 4.6 Further information is available in relation to the Whistleblower Policy from the Whistleblower Complaints Officer (“WCO”) or another Eligible Recipient prior to disclosing Reportable Conduct. Information is also available from the ASIC website, <https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/>, and the [ASIC Regulation Guide 270 Whistleblower Policies](#).
- 4.7 Conduct that is not Reportable Conduct is not eligible for protection under the Whistleblower Policy or the Act. For the avoidance of doubt, Reportable Conduct does not include personal work-related grievances. Personal work-related grievance should be reported in accordance with RHealth’s Complaints Policy
- 4.8 It is a breach of the Whistleblower Policy to deliberately make a false report or to make a report without reasonable grounds. Any such report will be dealt with under RHealth’s disciplinary policies.

5. PROTECTIONS

- 5.1 The identity of a person making a disclosure of Reportable Conduct will be kept confidential, unless the discloser has given their permission for their identity to be disclosed.
- 5.2 Any person who makes a disclosure of Reportable Conduct will be treated fairly and will be protected from any Detrimental Conduct.

6. INVESTIGATION

- 6.1 As soon as possible, the WCO must determine whether a disclosure falls within the scope of the Policy. If the WCO determines that it is appropriate, the WCO may authorise an investigation. If an investigation is authorised, the WCO must consider and control any risk of Detrimental Conduct to the discloser.
- 6.2 In the first instance, the internal WCO will be appointed as the Decision Maker of the investigation. If he or she is unable or unwilling to act, for example due to a conflict of interest, the Chief Executive Officer (CEO) will be appointed. If the CEO is unable or unwilling to act, the Board Chair will be appointed. The Decision Maker may, where appropriate, appoint an external investigator to assist in conducting the investigation.
- 6.3 Following an investigation, the Decision Maker may decide to close the investigation or forward a report on the investigation to the Board or an authorised committee of the Board. The Board or an authorised committee of the Board may adopt or reject the findings of the report and any recommendation of the Decision Maker. If required, the Board will notify any relevant external body.
- 6.4 Any investigation into Reportable Conduct will be conducted in accordance with the rules of natural justice.
- 6.5 Any person who is mentioned in a disclosure, including those who are the subject of a disclosure, will be treated fairly and will be offered support through RHealth’s Employee Assistance Program.
- 6.6 To the extent possible, the Decision Maker will keep the discloser informed regarding the process of an investigation and the outcome of an investigation. The discloser will be offered support through RHealth’s Employee Assistance Program.



7. REVIEW OF POLICY AND PROCEDURE

- 7.1 Employees may be appropriately consulted on a biannual basis to ensure their awareness of Whistleblower processes and to seek feedback regarding the efficacy of the processes.
- 7.2 Whistleblower documentation will be reviewed and updated as required, including after any implementation of the processes.

8. 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

9. MORE INFORMATION

- 9.1 Refer to the RHealth Whistleblower Information Guide on the RHealth internet for additional information on how the policy operates and other particulars.

10. SCHEDULES

- 8.1 This procedure must be read in conjunction with its superior and subordinate schedules as provided below.

11. RELATED LEGISLATION, POLICIES AND RESOURCES

Superior and subordinate schedules

- Whistleblower Policy
- 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

Executive Sponsor	Chief Executive Officer (CEO)	
Author	Fox & Company Lawyers, RHealth Quality Manager	
Approval Authority	CEO	
Version	Date Approved	Due for Review
1	21 April 2020	When needed
2	16 February 2023	Procedure will be reviewed annually to see if any updates are required