



## WHISTLEBLOWER POLICY

### PURPOSE

The vision of Australian Healthcare and Hospitals Association is for a health Australia, supported by the best possible healthcare system. To achieve our vision, it is crucial that all our employees and partners understand, follow, and adhere to our corporate values. We have put guidelines and policies in place to ensure we live by these values in our day-to-day work.

The aim of this policy is to provide guidelines as to the approach and management of any reports alleging misconduct, corruption or other unlawful behaviour by an AHHA employee or office bearer.

The policy is based on the following principles:

1. Every employee or eligible person should have the chance to speak up anonymously when they feel the organisation is not adhering to its corporate values.
2. They should have a place to report misconduct, and be assured that every report will be heard and acted on and that improvements based on the results will be implemented.
3. AHHA is committed to protecting informants' identities and they only need to reveal their identity should they choose to do so.
4. Every report of misconduct will be investigated and the results will be documented and feedback provided where appropriate.

### POLICY

This policy applies to all AHHA's businesses and divisions across all jurisdictions in which it operates. If local legislation, regulation, or laws provide a higher level of protection than what is included in this policy, the local legislation will take precedence.

The reportable behaviour covered under this policy includes but is not limited to:

- Fraudulent;
- Illegal;
- Corrupt;
- Dishonest;
- Unethical;
- Violates the law or any legal code;
- Is creating an unsafe environment;
- Breaches any of our organisation's policies;
- Discrimination;

- Harassment and/or bullying of any kind;
- Any conduct which is detrimental to AHHA and could cause financial or non-financial loss;

If an employee or eligible person feels they need to make a report, they must contact, one of the “eligible recipients” to qualify for protection as a whistleblower under this policy, either by:

- email;
- mail;
- verbal conversation

AHHA respects and protects the identity of the person making the complaint but they can choose to remain anonymous while making a report, interacting with case managers during an investigation of the report and after the case is closed.

They can identify themselves at any time during the process but will not be forced to provide their identity. If they do decide to disclose their identity, AHHA will take all steps necessary to ensure that they do not suffer any retaliation.

AHHA will make every endeavour possible to investigate the report, but it should be noted that in some cases, there are limitations regarding investigations if the informant decides to remain anonymous.

### **Definition of Eligible Person and Eligible Recipient**

The following people are considered an “**eligible person**” for the purposes of this policy.

- Employees and any person associated with Employees;
- Directors, interns and secondees;
- Contractors, consultants, service providers, suppliers, business partners;
- Former employees;
- Members;

The following people or organisations are defined as “**eligible recipients**” for the purposes of this policy.

- Chief Executive AHHA;
- Chief Operating Officer AHHA;
- Board Chair AHHA.
- Any other person or organisation as defined in the ASIC Regulation Guide 270

### **Investigation Process**

Once a report is submitted (anonymous or not), this report goes to the Chief Executive or Board Chair if the complaint concerns the Chief Executive. This person will then assess the report and assign it to a case manager or a Third Party such as an Accounting and/or Legal Firm or a specialist Human Resource Consultant, to manage the investigation.

Relevant senior managers and the AHHA Board may be alerted to the report as part of the reporting process or if they are involved in the investigation.

Any information that could potentially identify an anonymous informant will be held in the strictest confidence and will not be shared, unless AHHA is compelled to by law.

As part of our investigative process, AHHA will update the informant of the progress of the investigation. These updates can include the following:

- AHHA has confirmed the receipt of a report from the informant.
- AHHA has begun the investigative process.
- The investigation is currently ongoing.
- The investigation has been closed.

AHHA's commitment to the informant includes:

1. They will be updated regularly while the investigation is ongoing.
2. They will then be updated once the investigation has been closed.
3. AHHA will strive to provide as much feedback on the investigation as possible. However, due to AHHA's privacy policy, there is often information that cannot be shared with the informant.

If, after receiving the summarised report of the investigation, the informant is not satisfied with the result, they can escalate this to the AHHA Board Chair or to their nominated reviewer. The informant can provide this escalation in writing so that a formal review can take place. Whilst AHHA commits to review the request, AHHA is under no obligation to reopen the investigation. If the AHHA Board Chair or nominated reviewer concludes that the investigation was conducted properly and no new information exists that would change the results of the investigation, the investigation will be concluded.

## **Retaliation**

An informant might be concerned that staff, management, or the organisation may retaliate against them. In this case and subject to all relevant legislation, AHHA will protect the informant from any action that can be perceived as retaliation for making a report, including:

- Being terminated or having their employment cease;
- Performance management;
- Harassment on the job or workplace bullying;
- Warnings or disciplinary actions;
- Discrimination.

In the case of "considered risk of retaliation", the informant believes retaliation is near or imminent, and they are targeted for retaliation. In cases of considered retaliation, the informant should contact the Chair/Chief Executive Officer who will take the action they feel is appropriate including recommendations as to how the situation can be resolved. Potential steps to protect the informant from a considered risk of retaliation can include:

- The informant taking leave.

- The informant being reassigned to other duties.

AHHA does not tolerate any attempts to retaliate against an informant who has made a report. Any employee or associated person that is found to be retaliating will face disciplinary action, including the potential to be terminated from their role.

AHHA will be able to raise any issues related to work or performance related issues with the informant and while AHHA will protect the informant from any retaliation, it is also important that they are still effective in their job. These performance or contract issues with the informant are to be kept separate and not influenced by any reports that have been made.

### **Other Parties Bearing Witness**

Other parties that might have to bear witness or are involved in the investigation will be protected from retaliation in the same manner as the informant.

### **Roles and Responsibilities in the Program**

The roles within AHHA's whistleblowing program include the following:

- Program owner and whistleblowing protection officer (WPO);
- Case managers that investigate individual reports;
- Human resources who are involved in cases and made aware of specific investigations;

**Program owner/whistleblowing protection officer:** This individual owns the entire program and is measured on its overall success. This includes employees knowing and understanding the program, an easy process of making a report, investigating reports, as well as being a point of escalation for any concerns or retaliation that has taken place. While this individual reports into the organisation, the results of their work goes directly to the Board of Directors. The Chief Operating Officer fills this role.

**Case manager:** The case manager is assigned anonymous reports and their role is to investigate these reports. This includes interacting and asking questions of informants, as well as using the information provided to investigate the report submitted. Their investigation can be internal or external to the organisation depending on what was documented in the report. Their goal is to gather the facts and put forth a final report to management on what happened and what action they feel needs to take place.

**Human resources:** Human resources experts (internal or external to the organisation) may be called upon to provide advice and guidance during any investigation. The whistleblowing program leverages their expertise and ensures that AHHA is using HR best practice during investigations and all employees are being treated fairly.

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