

Whistle-blower Policy	
<b>Policy Statement</b>	<p>RSL LifeCare Limited (<b>RSLLC</b>) and its related body corporates are committed to conducting their operations with honesty, fairness and integrity, and promoting continuous improvement.</p> <p>The Whistle-blower Policy (<b>Policy</b>) has been developed to encourage our employees and others to speak up without fear about "disclosable matters". This Policy sets out what is a "disclosable matter", how to make a report about a "disclosable matter(s)", what protections apply in those circumstances, and the processes at RSLLC for responding to reports about "disclosable matters".</p> <p>RSLLC will not tolerate a whistle-blower being subject to any detriment because they are considering making a disclosure or have already done so. Disciplinary action may be imposed (potentially including termination of employment) on anyone found to have caused detriment to a whistle-blower because they are considering, or have already, made a disclosure. Victimization against a whistle-blower is also an offence under both the <i>Corporations Act 2001 (Cth)</i> (<b>Corporations Act</b>) and the <i>Taxation Administration Act 1953 (Cth)</i> (<b>Tax Administration Act</b>) which may attract criminal and/or civil penalties.</p>
<b>Purpose</b>	<p>This Policy is an important tool to assist RSLLC with identifying any wrongdoing that may not be uncovered unless there is a safe and secure means for persons to disclose the wrongdoing.</p>

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## 1. Scope

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This Policy will apply when a whistle-blower makes a disclosure in accordance with the requirements under the whistle-blower protection regime that is set out in the Corporations Act or under the Tax Administration Act.

Whistleblowing protection is afforded when:

- (a) an “eligible whistle-blower” (see section 3 of this policy);
- (b) makes a disclosure of information relating to a “disclosable matter” (see section 4 of this policy);
- (c) to an “eligible recipient” (see section 5 of this policy).

The whistle-blower protections and obligations in this Policy are separate to RSLLC’s employees' compulsory reporting requirements under the *Aged Care Act 1997* (Cth) (**Aged Care Act**) - for example, the reporting obligations in relation to a suspected or actual reportable assault on a resident. All RSLLC employees must, at all times, comply with RSLLC’s RCP53 Compulsory Reporting Guidelines for Residential Care and Packaged Care.

RSLLC retains Stopline Pty Ltd (**Stopline**) as an external provider of confidential disclosure services. A whistle-blower may contact Stopline to make a disclosure under this Policy (see section **Error! Reference source not found.** of this Policy for more details). However, Stopline is not to be used for making a compulsory report under the Aged Care Act. Please refer to the Compulsory Reporting Guidelines for Residential Care and Packaged Care for information on how to make a report under the Aged Care Act.

## 2. Who is an eligible Whistle-blower?

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An "eligible whistle-blower" (**Whistle-blower**) under the Corporations Act and Tax Administration Act includes current and past:

- (a) Employees of RSLLC;
- (b) Officers of RSLLC;
- (c) Individuals who supply services or goods to RSLLC (whether paid or unpaid);
- (d) Employees of a person who supplies services or goods to RSLLC (whether paid or unpaid)
- (e) Associates of RSLLC (for example, a director or secretary of RSLLC or a related company of RSLLC);
- (f) Relatives, dependants or dependants of the spouse of an individual referred to above at (a) to (e) (under the corporation’s act);
- (g) A spouse of or child, dependents or dependents of the spouse of an individual referred to above at (a) to (e) (under the Tax Administrations Act); and
- (h) Any other individual prescribed by the regulations

## 3. What is a Disclosable Matter?

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Type of disclosable matters

A disclosure of information will be a "disclosable matter" under the Corporations Act (Disclosable Matter) if the Whistle-blower has reasonable grounds to suspect that the information concerns:

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misconduct, or an improper state of affairs or circumstances, in relation to RSLLC, or a related body corporate of RSLLC;

conduct by RSLLC, or a related body corporate of RSLLC (including their employees or officers), which constitutes an offence or a contravention of, a provision of any of the following:

- (a) the Corporations Act;
- (b) the Australian Securities and Investments Commission Act 2001 (Cth);
- (c) the Banking Act 1959 (Cth);
- (d) the Financial Sector (Collection of Data) Act 2001 (Cth);
- (e) the Insurance Act 1973 (Cth);
- (f) the Life Insurance Act 1995 (Cth);
- (g) the National Consumer Credit Protection Act 2009 (Cth);
- (h) the Superannuation Industry (Supervision) Act 1993 (Cth);
- (i) an instrument made under an Act referred to in any of subparagraphs (i) to (viii); or
- (j) any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more; or
- (k) conduct by RSLLC, or a related body corporate of RSLLC (including their employees or officers), that represents a danger to the public or the financial system; or
- (l) a matter otherwise prescribed by regulation.
- (m) Reports that are not about Disclosable Matters (as set out above and defined in the Corporations Act) do not qualify for protection under the Corporations Act. However, such disclosures may be protected under other legislation, such as the Aged Care Act or Fair Work Act 2009 (Cth).
- (n) Examples of the types of matters that qualify as Disclosable Matters under this Policy may include:
  - (o) bribery, corruption, or financial fraud;
  - (p) a failure to comply with, or a breach of, legal or regulatory requirements;
  - (q) negligence, default, breach of trust, or breach of duty;
  - (r) some serious breaches of RSLLC's policies and procedures;
  - (s) conduct that may endanger public health or safety;
  - (t) financial irregularities, money laundering or misappropriation of funds; or
  - (u) engaging in, or threatening to engage in, detrimental conduct against a person who has made a disclosure or is believed or suspected to have made, or be planning to make, a disclosure.

Alternatively, certain disclosures made by a Whistle-blower will qualify for protection under the Tax Administration Act if:

- (a) the Whistle-blower has reasonable grounds to suspect that information indicates misconduct, an improper state of affairs or circumstances in relation to RSLLC's tax affairs or an associate of RSLLC and the Whistle-blower considers that the information may assist an eligible recipient to perform functions or duties in relation to RSLLC's tax affairs or an associate of RSLLC; or
- (b) where the disclosure is made to the Commissioner and the Whistle-blower considers the information may assist the Commissioner to perform his or her functions or duties under a taxation law in relation to RSLLC or an associate.

Should a disclosure trigger the whistle-blower protection regime under the Tax Administration Act, similar protections as detailed in this Policy will also apply to that disclosure.

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You can also make a disclosure which will qualify for protection to a lawyer where you seek legal advice or legal representation in relation to the operation of the whistle-blower laws under the Corporations Act (or the Tax Administration Act where applicable), even if this does not relate to a Disclosable Matter.

RSLLC strongly encourages you to make a disclosure, even if you only suspect that a Disclosable Matter has occurred or is occurring. You need only to have reasonable grounds to suspect RSLLC, a related body corporate of RSLLC, or any of their employees or officers, has engaged in the relevant conduct that is the subject of the Disclosable Matter.

You will not be penalised if a matter raised by you ultimately turns out to be incorrect, provided that your disclosure was made with a genuine belief regarding a Disclosable Matter. However, you must not make a report that you know is not true or is misleading. Where it is found that a whistle-blower has knowingly made a false report, this will be considered a serious matter and may result in disciplinary action.

#### 4. Personal Work-Related Grievances

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Disclosable matters do not include "personal work-related grievances", which should instead be raised in accordance with the HR12 Grievance and Complaint Policy and the HRPR65 Grievance and Complaint Procedure or the HR11 Equal Employment Opportunity - Anti-Discrimination, Anti-Bullying and Harassment Policy or the HRPR64 Equal Employment Opportunity - Anti-Discrimination, Anti-Bullying and Harassment Procedure (if applicable) to allow those issues to be resolved most effectively.

"Personal work-related grievances" are grievances relating to a person's current or former employment or engagement that have implications for them personally (that is, they relate solely to them), and do not fall within the scope of a Disclosable Matter that qualifies for protection under the Corporations Act (**Personal work-related Grievances**).

For example, an interpersonal conflict between the person and another employee, or a decision relating to their employment or engagement (such as a transfer, promotion or disciplinary action or the terms and conditions of their employment), that does not involve a breach of workplace laws would be a Personal work-related Grievance.

However, if a person has raised a Personal work-related Grievance that has significant implications for RSLLC, then that grievance may still qualify for protection and be covered by this Policy where it includes information about:

- (a) Disclosable Matter;
- (b) misconduct that has significant implications for RSLLC that are beyond the whistle-blower's personal circumstances (e.g. relating to RSLLC or other individuals); or
- (c) relates to a detriment they have suffered or have been threatened with because they have made a disclosure.

A Personal work-related Grievance may also qualify for protection if a person seeks legal advice or legal representation about the operation of the whistle-blower provisions under the Corporations Act. RSLLC encourages individuals to seek legal advice about their rights and protections under employment law, contract law or at law generally as they see fit.

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## 5. Reporting of Other Incidents

Separate to the reporting described elsewhere in this Policy, all RSLLC employees have a duty to report "incidents" under the RSLLC OHS02 Incident Reporting Policy. These incidents could include those which:

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

These incidents should be reported directly to the employee's manager or supervisor in accordance with the RSLLC Policy OHS02 Incident Reporting Policy.

## 6. Who is an Eligible Recipient?

To be afforded whistle-blower protection under both this Policy and the Corporations Act (or the Tax Administration Act where applicable), you must disclose information about Disclosable Matters to an "eligible recipient". The role of an eligible recipient is to receive disclosures that qualify for protection.

To ensure that your disclosure can be assessed by RSLLC without delay, we encourage Whistle-blowers to make disclosures to one of the following "eligible recipients":

- (a) Internal disclosure - to any designated Disclosure and Protection Officer as identified at 5.1 for the purpose of this policy or a person authorised by them; or
- (b) External disclosure - through Stopline.

Whistle-blowers may also receive protections under the Corporations Act (or the Tax Administration Act where applicable) if they make a report to one of the other "eligible recipients" set out in Appendix A to this Policy.

## 7. Internal Disclosure

The Disclosure and Protection Officers are as follows:

Disclosure and Protection Officers	
Executive General Manager, People & Culture	0419 262 420
General Counsel & Company Secretary	0402 28 98 28

If you wish to seek additional information about the whistleblowing process or protections before formally making a disclosure, you can contact a Disclosure and Protection Officer with any questions you may have.

## 8. External Reporting

If you reasonably believe reporting internally is not an option, an external report can be made via Stopline. Stopline is a confidential disclosure service operated by an external company, Stopline Pty Ltd, which is available 24 hours a day, 365 days a year.

Stopline has been contracted by RSLLC to receive Whistle-blower reports. Stopline have several methods of receiving a disclosure, although a telephone call is preferred so that sufficient information can be obtained to enable an investigation to be conducted if appropriate. Stopline do not have incoming or outgoing caller ID.

Telephone	Toll free from within Australia – 1300 304 550 Overseas (reverse charges) – +61 3 9811 3275
Telephone operating hours	24-hour telephone response service
Post	RSL LifeCare, c/- Stopline Locked Bag 8, Hawthorn Vic 3122
Facsimile	RSL LifeCare, c/- Stopline +61 3 9882 4480
Email	rsllifecare@stopline.com.au
Online	<a href="http://rsllifecare.stoplinereport.com">http://rsllifecare.stoplinereport.com</a>
Smartphone App	Search for Stopline or Stopline365 in the iTunes App Store or Google Play to download the free app and submit a disclosure.

External Contact Person from Stopline will inform an appropriate RSLLC Disclosure and Protection Officer of the details of any report received.

For more information on how Stopline works, please go to [www.rsllifecare.stoplinereport.com](http://www.rsllifecare.stoplinereport.com).

## 9. Confidentiality and Anonymous Disclosures

RSLLC's priority is to support and protect Whistle-blowers who report Disclosable Matters. If you report a Disclosable Matter, your identity (and any information that RSLLC has because of your report that someone could likely use to identify you) will only be disclosed if:

- (a) you give your consent for the disclosure of that information;

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- (b) the disclosure is allowed or required by law (for example, disclosure by RSLLC to a lawyer to obtain legal advice, or disclosure to the Australian Securities and Investments Commission
- (c) (ASIC), the Australian Prudential Regulation Authority (APRA), the Australian Federal Police or, in relation to tax matters, the Commissioner of Taxation); or
- (d) in the case of information likely to identify you, it is reasonably necessary to disclose the information for the purposes of an investigation, but your identity is not disclosed, and all reasonable steps are taken by RSLLC to prevent someone from identifying you.

RSLLC recognises that it is illegal for a person to identify a Whistle-blower or disclose information that is likely to lead to the identification of the Whistle-blower, outside the exceptions above. If you believe your confidentiality has been breached, you should raise this with the Whistle-blower Support Officer, Zephyr Min, on (02) 8978 4853 or 0427 578 849 or by email at zephyr.min@rsllifecare.org.au.

Please note that, in order to support confidentiality, RSLLC takes a number of steps, including limiting access to your disclosure and carefully reviewing and potentially de-identifying certain aspects of your report. You can make an anonymous disclosure if you do not want to reveal your identity by using Stopleveline and you will still be protected by the Whistle-blower provisions under the Corporations Act (or the Tax Administration Act if applicable). Alternatively, you may wish to adopt a pseudonym for the purpose of your disclosure.

You can remain anonymous for the duration of the investigation and after the investigation has been finalised. You can refuse to answer questions that you feel might reveal your identity at any time, including during follow up conversations.

If you do not provide your identity, RSLLC will assess the content of your disclosure in the same way as if you had revealed your identity. However, if you remain anonymous, this may hinder the ability of RSLLC to properly investigate the matter and to offer you the same level of practical support and protection. Whistle-blowers are encouraged to maintain two-way communication with RSLLC through Stopleveline, so that RSLLC can ask follow-up questions and provide feedback.

## 10. What information should be provided?

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As much information as possible should be provided about the disclosing matter, including:

- (a) that your report is being raised under this Policy;
- (b) the nature of the actual or suspected Disclosable Matter;
- (c) the names of people involved, including any witnesses;
- (d) the date, time and location of incident(s);
- (e) any material to support your report, such as documents;
- (f) whether any money or assets are involved; and
- (g) any steps you have taken to report the matter elsewhere.

## 11. Investigating disclosures

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All reports of Disclosable Matters must be referred to a Disclosure and Protection Officer to ensure they are managed in accordance with this Policy. If a Disclosure and Protection Officer is implicated in the matter, then the report will be referred to either a different Disclosure and Protection Officer, the Chair of the RSLLC Board or the Chief Executive Officer, provided that they are not involved in the substance of the matter.

Reports made under this Policy will be received and treated sensitively and seriously and dealt with promptly and objectively.

All disclosures will be assessed and considered by a Disclosure and Protection Officer and a decision will be made as to whether they qualify for protection as a Disclosable Matter and whether a formal in-depth investigation is required. RSLLC's response to a disclosure will vary depending on the nature of the disclosure (including the amount of information provided).

You may be told how RSLLC has decided to respond to a disclosure, including if a formal, in depth investigation will be conducted. However, it may not be possible unless your contact details are provided.

Where possible and appropriate, a Whistle-blower Investigation Officer, who is not implicated directly or indirectly in the Disclosable Matter, will be designated to conduct an investigation (which may include a formal, in-depth investigation or less formal process depending on the nature of the matter).

All RSLLC staff, directors and officers must co-operate fully with any investigation that is undertaken. With the Whistle-blower's consent, RSLLC may utilise third parties to assist with or to conduct the investigation under this Policy, such as:

- (a) third party legal and/or accounting firms to undertake investigations of specific reports; or
- (b) specialist investigative firms to investigate specific cases where RSLLC does not have the skills or capacity in-house.

Unless there are confidentiality or other reasons not to do so, persons to whom a disclosure relates will be informed of the allegation at the appropriate time and given an opportunity to respond to the allegation(s) made against them as and when required by principles of procedural fairness. They, and any witnesses interviewed, will only be provided with your identity with your consent.

The Whistle-blower, where possible and appropriate, will be kept apprised of the progress of the investigation on a regular basis. The frequency and time frame may vary depending on the nature of the Disclosable Matters. RSLLC endeavours to complete investigations within 90 days of receipt of the disclosure, however, acknowledges that this time period may be exceeded depending on the circumstances of the matter.

The objective of an investigation is to determine whether there is enough evidence to substantiate or refute the matters reported. Findings will be that the allegation(s) are either:

- (a) fully substantiated;
- (b) partly substantiated (for example, if one but not all allegations are substantiated); or
- (c) unsubstantiated.

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RSLLC will, where possible, communicate the findings of any investigation arising from a report regarding Disclosable Matters to the Whistle-blower, however full details of the outcome may not always be available for reasons relating to confidentiality, privacy and the legal rights of those concerned.

The method for documenting and recording the findings of a formal in-depth investigation will depend on the nature of the disclosure. Generally, at the conclusion of an investigation, the Whistle-blower Investigation Officer will submit a written report to be considered by the Board and senior management of RSLLC, subject to applicable confidentiality requirements. Any report prepared in relation to an investigation remains the property of RSLLC and will not be provided to a Whistle-blower or any other person to whom a disclosure relates. Where an investigation identifies misconduct or other inappropriate conduct, appropriate disciplinary action may be taken at RSLLC's discretion. This may include, but is not limited to, terminating or suspending the employment or engagement of a person(s) involved in any such conduct.

If an investigation finds that criminal activity is likely to have occurred, the matter may be reported to law enforcement bodies and/or other regulatory authorities by the relevant area within RSLLC.

## 12. Protection from Detriment

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No person may cause detriment to someone else (or threaten to do so) because of (or for reasons including) a belief or suspicion that a person has made, may make, proposes to make or could make, a disclosure in relation to a Disclosable Matter. Detriment may include:

- (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; and/or
- (j) any other damage to a person.

Any person who engages in detrimental conduct against a person because they have made, or intend to make, a report about a Disclosable Matter may be subject to disciplinary action (including, but not limited to, termination of employment or engagement). In some circumstances, this conduct may also attract civil and/or criminal penalties.

You should tell the Whistle-blower Support Officer, Zephyr Min, on (02) 8978 4853 or 0427 578 849 or by email at [zephyr.min@rsllifecare.org.au](mailto:zephyr.min@rsllifecare.org.au), or their delegate if you (or someone else) is being, or has been subject to, detrimental conduct. You may also seek independent legal advice or contact a regulator (such as ASIC, APRA or the ATO) if you believe that you have suffered detriment.

RSLLC will, at all times, be able to raise and address with a Whistle-blower matters that arise in the ordinary course of their employment or contractual relationship with RSLLC which do not amount to detrimental conduct

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(for example, any separate performance or misconduct concerns) or to take appropriate action to seek to prevent detriment against a Whistle-blower (such as moving a disclosure to another office location).

You may also be able to seek compensation and other remedies through the courts if:

Any person who engages in detrimental conduct against a person because they have made, or intend to make, a report about a Disclosable Matter may be subject to disciplinary action (including, but not limited to, termination of employment or engagement). In some circumstances, this conduct may also attract civil and/or criminal penalties.

You should tell the Whistle-blower Support Officer, Zephyr Min, on (02) 8978 4853 or 0427 578 849 or by email at zephyr.min@rsllifecare.org.au, or their delegate if you (or someone else) is being, or has been subject to, detrimental conduct. You may also seek independent legal advice or contact a regulator (such as ASIC, APRA or the ATO) if you believe that you have suffered detriment.

RSLLC will, at all times, be able to raise and address with a Whistle-blower matters that arise in the ordinary course of their employment or contractual relationship with RSLLC which do not amount to detrimental conduct (for example, any separate performance or misconduct concerns) or to take appropriate action to seek to prevent detriment against a Whistle-blower (such as moving a disclosure to another office location).

You may also be able to seek compensation and other remedies through the courts if:

- (a) you have suffered loss, damage or injury because of a disclosure; and

RSLLC has failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

## 13. Civil, Criminal and Administrative Liability Protection

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A Whistle-blower is also protected under the Corporations Act from:

- (a) civil liability, criminal liability and administrative liability for making the disclosure; and
- (b) contractual or other remedies being enforced against them on the basis of the disclosure.

Information a Whistle-blower discloses is not admissible in evidence against them in criminal proceedings (or proceedings for the imposition of a penalty), except for proceedings in relation to giving false information.

However, such protection does not give you immunity for any misconduct you may have engaged in that is revealed by your disclosure.

## 14. Other protections available

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RSLLC is committed to making sure that Whistle-blowers do not suffer detriment because they make a disclosure. The protections offered will be determined by RSLLC and will depend on things such as the Disclosable Matter and the people involved. In protecting you from detriment, RSLLC may undertake the following:

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- (a) risk assessments to determine the risk of detriment against a Whistle-blower;
- (b) monitoring and managing the behaviour of other employees; access to support services such as the Employee Assistance Program: 24-hour line -1800 818 728 or AccessEAP;
- (c) accessible training for management to understand their responsibilities to maintain confidentiality of a disclosure;
- (d) relocating individuals (which may include the people alleged to have been involved in the Disclosable Matters) to a different division, group or office; and/or
- (e) offering an individual a leave of absence or flexible workplace arrangement while a matter is being investigated.

RSLLC will look for ways to support all Whistle-blowers who make a disclosure, but it may not be able to provide non-employees with the same type and level of support that it provides to its employees. However, RSLLC will still seek to offer as much support as is reasonably practicable.

## 15. Escalations relating to the Whistle-Blowing process or outcome

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A Whistle-blower may escalate the management of their disclosure to the Chair of the RSLLC Board or the Chief Executive Officer, provided that they are not implicated in the substance of the matter if:

- (a) they are not satisfied with a decision not to conduct an investigation into their disclosure, or the findings of any investigation; or
- (b) they consider that RSLLC has not adequately resolved a complaint regarding detrimental conduct.

A request for review is to be submitted to the Disclosure and Protection Officer who is obliged to escalate the matter to the Chair of the RSLLC Board or the Chief Executive Officer. However, if the report relates directly to the Disclosure and Protection Officer, the matter should be submitted directly to the Chair of the RSLLC Board or the Chief Executive Officer.

When undertaking a review of a matter that has been escalated, the Chair of the RSLLC Board or the Chief Executive Officer is not required to reopen or reinvestigate the disclosure. To arrive at a decision, the Chair of the RSLLC Board or the Chief Executive Officer may review any submission by the Whistle-blower, the basis of the decision giving rise to the request, and any other information the Chair of the RSLLC Board or the Chief Executive Officer considers relevant. The Chair of the RSLLC Board or the Chief Executive Officer may make a final determination following the consideration of this material.

## 16. Reports to the Board

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The Executive General Manager – People and Culture will provide the RSLLC Board with summary information in relation to disclosures made under this Policy on a quarterly basis, including metrics on disclosures made. This may include, for example, a summary of the number, nature and outcome of matters that have been raised under this Policy, incorporating relevant information from any reports that have been received from Stopleveline. The Board may also be provided with additional information about any material incidents raised. Information received by the Board will be de-identified as required.

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## 17. Availability of this Policy and Training

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All RSLLC staff (including new staff) will have access to a copy of this Policy on the intranet. Key RSLLC staff, including Disclosure and Protection Officers, Whistle-blower Investigation Officers and Whistle-blower Support Officers will also receive regular training, including in relation to how to respond to disclosures where relevant. A copy of this Policy will also be available on RSLLC's public website. A hard copy of this Policy may be obtained by contacting a Disclosure and Protection Officer.

## 18. Data Protection

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The RSLLC Privacy Policy (as amended from time to time) outlines how personal information will be collected, used, disclosed and handled by RSLLC. Unless contrary laws prevent RSLLC from doing so, all personal information that forms part of a disclosure will be treated in accordance with RSLLC's Privacy Policy as well as any applicable privacy or data protection laws.

## 19. Periodic Review

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This Policy will be reviewed every two years to check it is operating effectively and whether any changes are required.

## 20. Questions Regarding Policy

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Any questions in relation to the interpretation or operation of this Policy should be directed to the Executive General Manager - People and Culture.

RSLLC also encourages individuals to seek independent legal advice about the application of the whistle-blower protection provisions under the Corporations Act and the Tax Administration Act.

## 21. Roles & Responsibilities

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The roles and responsibilities with regard to the Policy are set out in the table below.

Executive General Manager - People and Culture	<ul style="list-style-type: none"> <li>Champions the Policy and oversees the implementation and effectiveness of the Policy.</li> <li>Responsible for ensuring the Policy is up to date and periodically reviewed.</li> <li>Appoints the roles within the Policy.</li> <li>Provides quarterly reporting on whistleblowing to the RSLLC Board.</li> </ul>
Chair of the RSLLC Board	<ul style="list-style-type: none"> <li>Undertakes reviews of disclosures where matters are escalated.</li> </ul>
Chief Executive Officer	<ul style="list-style-type: none"> <li>Undertakes reviews of disclosures where matters are escalated.</li> </ul>
Disclosure and Protection Officer	<ul style="list-style-type: none"> <li>Receives reports from whistleblowing channels.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Undertakes an initial assessment of reports and makes a decision as to whether they qualify for protection as a Disclosable Matter and whether a formal in-depth investigation is required.</li> <li>• Escalates matters for review to the Board or the Chief Executive Officer where necessary under this Policy (including upon request from the Whistle-blower).</li> </ul>
Whistle-blower Investigation Officer	<ul style="list-style-type: none"> <li>• Designated person(s) within RSLLC responsible for investigating disclosures.</li> <li>• Conducts investigations on Disclosable Matters, in a timely manner. This may include the use of internal or external investigative resources.</li> <li>• Keeps Whistle-blowers informed of the investigations' progress as appropriate.</li> <li>• Reports the investigations outcomes.</li> </ul>
Whistle-blower Support Officer	<ul style="list-style-type: none"> <li>• Supports and protects Whistle-blowers from detriment as a result of making a disclosure.</li> <li>• Authorised to provide certain protections where he/she deems this appropriate for fulfilling their role.</li> </ul>

## 22. Interactions with Other Policies

The documents listed below support this Policy:

Code of Conduct	The overarching code describing the required behavioural standards for RSLLC employees. A breach of this Policy, misconduct reported as part of a Disclosable Matter or detriment caused to a Whistle-blower may also amount to a breach of the Code of Conduct.
RCPR53 Compulsory Reporting Guidelines for Residential Care and Packaged Care	Compulsory Reporting under the Aged Care Act.
OHS02 Incident Reporting	Incident reports that are not a Disclosable Matter under the Corporations Act may be required to be reported under the RSLLC Incident Reporting policy.
HR12 Grievance and Complaint Policy and the HRPR65 Grievance and Complaint Procedure	Complaints about Personal work-related Grievances may be made under this policy framework
HR11 Equal Employment Opportunity - Anti-Discrimination, Anti-Bullying and Harassment Policy or the HRPR64 Equal Employment Opportunity - Anti-Discrimination, Anti-Bullying and Harassment Procedure	Incidents of detriment or victimisation towards a Whistle-blower may also trigger the Harassment Policy
Privacy Policy	Sets out how personal information will be collected, used, disclosed and handled by RSLLC.

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## 23. Compliance with this Policy

Where RSLLC staff and external partners are concerned that a breach of this Policy has occurred, or will occur, they should report their concern to the Executive General Manager - People and Culture or their delegate. If the

Executive General Manager - People and Culture or their delegate has not resolved a concern or disclosure that has been raised with them, the concern or disclosure can be escalated to the Chair of the RSLLC Board or the Chief Executive Officer.

A breach of this Policy may be regarded as misconduct under the RSLLC Code of Conduct, which may lead to disciplinary action (including termination of employment or engagement). An individual may also be exposed to criminal or civil liability for a breach of the provisions of the Corporations Act or the Tax Administration Act (such as where victimisation of a Whistle-blower occurs).

## 24. Reporting Externally

Nothing in this Policy is intended to restrict a Whistle-blower making a report regarding Disclosable Matters, providing information to, or communicating with a government agency, law enforcement body or a regulator in accordance with the Corporations Act, any other relevant law, regulation or prudential standard applicable in a jurisdiction in which RSLLC operates. Please refer to Appendix A for more information on external reporting. RSLLC staff may also be legally required to report certain matters to government or regulatory bodies.

It is recommended that any individuals contemplating reporting matters outside of RSLLC first seek independent advice in relation to their legal rights and obligations.

## 25. Appendix A – Summary of Protection Under the Australian Law

### When will I be protected?

You will qualify for protection under this Policy and the Corporations Act (and the Tax Administration Act, where applicable) if you are a Whistle-blower and you make a disclosure to one of the "eligible recipients" nominated in this Policy or under the Corporations Act or Tax Administration Act as set out in the below tables.

Protections under the Corporations Act	
Disclosable Matters	Eligible Recipients of Disclosable Matters
<p><b>General Disclosable Matters (section 1317AA(4) and (5) of the Corporations Act) include:</b></p> <ul style="list-style-type: none"> <li>Information about actual or suspected misconduct, or an improper state of affairs or circumstances in relation to RSLLC or a related body corporate;</li> <li>Information that RSLLC or a related body corporate or any officer or employee of RSLLC or a</li> </ul>	<p><b>Recipients for any general Disclosable Matters (sections 1317AA and 1317AAC(1) of the Corporations Act) include:</b></p> <ul style="list-style-type: none"> <li>A person authorized by RSLLC to receive protected disclosures;</li> <li>An officer or senior manager of RSLLC or a related body corporate;</li> </ul>

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Protections under the Corporations Act	
Disclosable Matters	Eligible Recipients of Disclosable Matters
<p>related body corporate has engaged in conduct that:</p> <ul style="list-style-type: none"> <li>○ contravenes or constitutes an offence against: <ul style="list-style-type: none"> <li>- the Corporations Act;</li> <li>- <i>Australian Securities and Investments Commission Act 2001</i> (Cth);</li> <li>- the <i>Banking Act 1959</i> (Cth);</li> <li>- the <i>Financial Sector (Collection of Data) Act 2001</i> (Cth);</li> <li>- the <i>Insurance Act 1973</i> (Cth);</li> <li>- the <i>Life Insurance Act 1995</i> (Cth);</li> <li>- the <i>National Consumer Credit Protection Act 2009</i> (Cth);</li> <li>- the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth); or</li> <li>- an instrument under one of the above Acts;</li> </ul> </li> <li>○ constitutes an offence against any law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more;</li> <li>○ represents a danger to the public or the financial system; or</li> <li>○ is prescribed by the regulations for the purposes of this section.</li> </ul>	<ul style="list-style-type: none"> <li>● An auditor, or a member of an audit team conducting an audit, of RSLLC or a related body corporate;</li> <li>● An actuary of RSLLC or a related body corporate;</li> <li>● ASIC;</li> <li>● APRA;</li> <li>● A prescribed Commonwealth authority; or</li> <li>● A legal practitioner for the purpose of obtaining legal advice or legal representation about the operation of the whistleblower provisions.</li> </ul>

Protections under the Corporations Act	
Disclosable Matters	Eligible Recipients of Disclosable Matters
<p><b>General Disclosable Matters (section 1317AA(4) and (5) of the Corporations Act) include:</b></p> <ul style="list-style-type: none"> <li>● Information about actual or suspected misconduct, or an improper state of affairs or circumstances in relation to RSLLC or a related body corporate;</li> </ul>	<p><b>Recipients for any general Disclosable Matters (sections 1317AA and 1317AAC(1) of the Corporations Act) include:</b></p> <ul style="list-style-type: none"> <li>● A person authorized by RSLLC to receive protected disclosures;</li> </ul>

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Protections under the Corporations Act	
Disclosable Matters	Eligible Recipients of Disclosable Matters
<ul style="list-style-type: none"> <li>• Information that RSLLC or a related body corporate or any officer or employee of RSLLC or a related body corporate has engaged in conduct that:               <ul style="list-style-type: none"> <li>○ contravenes or constitutes an offence against:                   <ul style="list-style-type: none"> <li>- the Corporations Act;</li> <li>- <i>Australian Securities and Investments Commission Act 2001</i> (Cth);</li> <li>- the <i>Banking Act 1959</i> (Cth);</li> <li>- the <i>Financial Sector (Collection of Data) Act 2001</i> (Cth);</li> <li>- the <i>Insurance Act 1973</i> (Cth);</li> <li>- the <i>Life Insurance Act 1995</i> (Cth);</li> <li>- the <i>National Consumer Credit Protection Act 2009</i> (Cth);</li> <li>- the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth); or</li> <li>- an instrument under one of the above Acts;</li> </ul> </li> <li>○ constitutes an offence against any law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more;</li> <li>○ represents a danger to the public or the financial system; or</li> <li>○ is prescribed by the regulations for the purposes of this section.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• An officer or senior manager of RSLLC or a related body corporate;</li> <li>• An auditor, or a member of an audit team conducting an audit, of RSLLC or a related body corporate;</li> <li>• An actuary of RSLLC or a related body corporate;</li> <li>• ASIC;</li> <li>• APRA;</li> <li>• A prescribed Commonwealth authority; or</li> <li>• A legal practitioner for the purpose of obtaining legal advice or legal representation about the operation of the whistleblower provisions.</li> </ul>

In limited circumstances, certain "public interest" or "emergency" disclosures to journalists and members of Commonwealth, state or territory parliament are also protected by law. Certain steps need to be taken before a "public interest" or "emergency" disclosure can be made to one of these people and it is important that you understand these. For example, you must have previously made a disclosure to ASIC, APRA or another prescribed body and you must then give the body written notice about your intended "public interest" or "emergency" disclosure. In the case of a "public interest" disclosure, at least 90 days must have passed since the previous disclosure.

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Please contact a Disclosure and Protection Officer if you would like more information about “emergency” and “public interest” disclosures. You should also seek independent legal advice before making a "public interest" or "emergency" disclosure.

**How will I be protected if I make a disclosure?**

RSLLC protects the confidentiality of Whistle-blowers who make disclosures. We do this by limiting how both your identity and information that is likely to lead to your identification is shared. RSLLC also protects Whistle-blowers from detriment caused because they have made a disclosure or plan to make a disclosure. In certain circumstances, these protections will also be enforceable under the Corporations Act or the Tax Administration Act.

**What should I do if a protection is breached?**

Where you believe a breach has occurred, you should contact the Whistle-blower Support Officer. Where your report is about how your disclosure was handled, you should raise your concern with the Disclosure and Protection Officer, the Chair of RSLLC Board or the Chief Executive Officer. If you suffer detriment because you have or propose to make a disclosure, you may be entitled to compensation or other remedies in some circumstances. You may also lodge a complaint with a regulator, such as ASIC, APRA or the ATO for investigation.

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